Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM - IHW, UIC

Small Business:

No

Location(s) Where Violation(s) Occurred:

Chemours Beaumont Aniline Facility, 5470 North Twin City Highway, Nederland,

Jefferson County

Type of Operation:

Chemical manufacturing plant Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: May 25, 2018

Comments Received: No

Penalty Information

Total Penalty Assessed: \$214,852

Amount Deferred for Expedited Settlement: \$42,790

Total Paid to General Revenue: \$171,882

Total Due to General Revenue: \$0

Payment Plan: N/A

Compliance History Classifications:

Person/CN - Satisfactory Site/RN - Satisfactory

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: September 2002 and September 2011

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: May 17, 2012 and February 18, 2014

Date(s) of NOE(s): February 28, 2014

Violation Information

- 1. Failed to conduct quarterly calibrations of Underground Injection Control ("UIC") well monitoring equipment. Specifically, calibration of the monitoring equipment was not conducted for the first quarter of 2011 [30 Tex. Admin. Code § 331.63(g) and UIC Permit No. WDW188, Permit Provision ("P.P.") XI.E.2].
- 2. Caused, suffered, allowed, or permitted the unauthorized disposal of industrial and hazardous waste ("IHW") by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill from the AWWT tank occurred on February 4, 2011, releasing approximately 18,570 pounds of hazardous waste (Environmental Protection Agency ("EPA") Waste Codes Do18-benzene and Do36-nitrobenzene) to the North/South run of "B" ditch [30 Tex. ADMIN. Code §§ 335.43(a) and 335.112(a)(2), 40 Code of Federal Regulations ("CFR") §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121].
- 3. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill from the caustic storage tank (pipe) occurred on February 10, 2011, releasing approximately 20,500 pounds of hazardous waste (EPA Waste Code Doo2-corrosive waste) to the north ditch and the East/West run of "B" ditch [30 Tex. ADMIN. CODE §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. WATER CODE § 26.121].
- 4. Caused, suffered, allowed, or permitted the unauthorized disposal of industrial solid waste ("ISW"). Specifically, a spill from the aniline safety tank occurred on March 2, 2011, releasing approximately 8,262 pounds of Class 1 waste to the ACRN/ANIL combined ditch [30 Tex. Admin. Code § 335.2(b), 40 CFR § 270.1(c), and Tex. Water Code § 26.121].
- 5. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill from the dilute HNO3 tank occurred on March 17, 2011, releasing approximately 563 pounds of hazardous waste (EPA Waste Code Doo2-corrosive waste) to the North/South run of "B" ditch [30 Tex. Admin. Code §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121].

- 6. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW and IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill from the west wastewater tank occurred on March 19, 2011, releasing approximately 48.4 pounds of hazardous waste (EPA Waste Codes Do18-benzene and Do36-nitrobenzene) and Class 1 waste to the North/South run of "B" ditch. The spill resulted in an unauthorized discharge from outfall 001 to the Neches River [30 Tex. ADMIN. Code §§ 335.2(b), 335.43(a), and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121].
- 7. Failed to monitor the specific gravity of injected waste at least once every 24 hours. Specifically, samples were not collected for the 24-hour time periods on October 21 and November 1, 2011 [30 Tex. Admin. Code § 331.64(b) and UIC Permit No. WDW188, P.P. VIII.G].
- 8. Failed to keep complete and accurate UIC records. Specifically, the Respondent's flow records were not accurate for November 12, 2011 [30 Tex. Admin. Code § 331.67(a)(4) and UIC Permit No. WDW188, P.P.IX].
- 9. Failed to maintain an annulus pressure of at least 100 pounds per square inch ("psi") greater than the injection tubing pressure to prevent leaks from the well into unauthorized zones and to detect well malfunctions. Specifically, Quarterly Injection Reports showed the annulus pressure differential was less than 100 psi for a period of greater than 15 minutes on March 22 and 23, 2012 [30 Tex. Admin. Code § 331.63(e) and UIC Permit No. WDW188, P.P.VII.F].
- 10. Failed to establish and maintain sufficient liability coverage for bodily injury and property damage to third parties caused by sudden or non-sudden accidental occurrences arising from operations of a hazardous waste Class 1 waste injection well. Specifically, the Respondent failed to secure financial assurance from May 1 to May 22, 2012 and failed to make an inflation adjustment [30 Tex. Admin. Code § 331.142(b) and UIC Permit No. WDW188, P.P.X].
- 11. Failed to keep containers holding hazardous waste closed during storage, except when it is necessary to add and/or remove waste. Specifically, three hazardous waste containers were open while storing hazardous waste [30 Tex. Admin. Code § 335.112(a)(8) and 40 CFR § 265.173(a)].
- 12. Failed to conspicuously post "No Smoking" signs wherever there is a hazard from ignitable or reactive waste. Specifically, Container Storage Area Notice of Registration Nos. 72, 84, and 100 did not have "No Smoking" signs posted [30 Tex. Admin. Code § 335.112(a)(1) and 40 CFR § 265.17(a)].

- 13. Failed to include an evacuation plan as part of the contingency plan [30 TEX. ADMIN. CODE § 335.112(a)(3) and 40 CFR § 265.52(f)].
- 14. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW and IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill from the purge column pressure relief valve occurred on November 3, 2011, releasing approximately 800.4 pounds of hazardous waste (EPA Waste Code Do36-nitrobenzene) and Class 1 waste to the ACRN/ANIL combined ditch. The spill resulted in an unauthorized discharge from outfall 002 to the Neches River [30 Tex. ADMIN. Code §§ 335.2(b), 335.43(a), and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121].
- 15. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill occurred on April 10, 2012, releasing approximately 648 pounds of hazardous waste (EPA Waste Codes Doo2-corrosive waste and Do36-nitrobenzene) to the North ditch [30 Tex. Admin. Code §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121].
- 16. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW and IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill occurred from off-loading of a vacuum truck on April 15, 2012, releasing approximately 5,970 pounds of hazardous waste (EPA Waste Codes Do18-benzene and Do36-nitrobenzene) and Class 1 waste to the ACRN/ANIL combined ditch [30 Tex. ADMIN. Code §§ 335.2(b), 335.43(a), and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121].
- 17. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill occurred on May 18, 2013, releasing approximately 275,000 gallons of wastewater mixed with approximately 8.495 pounds of hazardous waste (EPA Waste Code Uo12-aniline). The spill caused unauthorized discharges to soil in unlined earthen wastewater conveyance ditches and to Lucite Beaumont Site's B Diversion Tank [30 Tex. Admin. Code §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121].

18. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill occurred on October 19, 2013, releasing approximately 200,000 gallons of wastewater mixed with approximately 7.0 pounds of hazardous waste (EPA Waste Code Do36-nitrobenzene). The spill caused unauthorized discharges to soil in unlined earthen wastewater conveyance ditches and to Lucite Beaumont Site's B Diversion Tank [30 Tex. ADMIN. CODE §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. WATER CODE § 26.121].

19. Failed to keep records of all hazardous and ISW activities. Specifically, closure records were not provided for Notice of Registration Waste Management Unit No. 090 [30 Tex. Admin. Code § 335.9(a)(1)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

The Respondent implemented the following corrective measures:

- a. Submitted documentation demonstrating quarterly equipment calibrations of all UIC equipment were being conducted on October 26, 2012;
- b. Submitted documentation demonstrating the implementation of procedures and conducted employee training on procedures designed to ensure the specific gravity of injected waste is monitored every 24 hours on October 26, 2012;
- c. Submitted documentation demonstrating training on maintaining complete and accurate UIC records was conducted for Facility employees on October 26, 2012;
- d. Obtained sufficient financial assurance for Waste Disposal Well 188 on May 22, 2012;
- e. Submitted documentation demonstrating all containers holding hazardous wastes are closed during storage on October 26, 2012;
- f. Posted "No Smoking" signs at Container Storage Area Notice of Registration Nos. 72, 84, and 100 on October 18, 2012;
- g. Submitted documentation demonstrating that the evacuation plan has been added to the contingency plan on October 26, 2012; and

h. Submitted closure records for Notice of Registration Waste Management Unit No. 090 on March 27, 2014.

Technical Requirements:

N/A

Contact Information

TCEQ Attorney: N/A

TCEO Enforcement Coordinator: Danielle Porras, Enforcement Division,

Enforcement Team 7, MC R-12, (713) 767-3682; Michael Parrish, Enforcement Division,

MC 219, (512) 239-2548

Respondent: Edward Breen, Director, E. I. du Pont de Nemours and Company, 974

Centre Road, Wilmington, Delaware 19805-1269

Matthew C. Koenings, Vice President - Corporate Operations, E. I. du Pont de Nemours

and Company, 974 Centre Road, Wilmington, Delaware 19805-1269

Respondent's Attorney: Rod Johnson, Enoch Kever PLLC, 5918 West Courtyard

Drive, Suite 500, Austin, Texas 78730

Penalty Calculation Worksheet (PCW) Policy Revision 2 (September 2002) PCW Revision October 30, 2008 Assigned 15-Oct-2012 PCW 12-Oct-2017 Screening 18-Oct-2012 EPA Due RESPONDENT/FACILITY INFORMATION Respondent E. I. du Pont de Nemours and Company Reg. Ent. Ref. No. RN100216035 Facility/Site Region 10-Beaumont Major/Minor Source Major CASE INFORMATION Enf./Case ID No. 48513 No. of Violations 6 Docket No. 2014-0506-MLM-E Media Program(s) Industrial and Hazardous Waste Order Type 1660 Government/Non-Profit No Multi-Media Underground Injection Control Enf. Coordinator Keith Frank EC's Team Enforcement Team 6 Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$25,000 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** \$15,000 Subtotals 2, 3, & 7 60.0% Adjustment Enhancement for three orders containing a denial of liability. Notes Subtotal 4 \$0 Culpability No 0.0% Enhancement The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 -\$250 **Economic Benefit** Subtotal 6 \$12,500 50-0% Enhancement* Total EB Amounts *Capped at the Total EB \$ Amount Estimated Cost of Compliance SUM OF SUBTOTALS 1-7 Final Subtotal \$52,250 OTHER FACTORS AS JUSTICE MAY REQUIRE 13.8% Adjustment \$7,187 Reduces or enhances the Final Subtotal by the indicated percentage.

Recommended enhancement to capture the avoided cost of compliance

associated with the violations minus the Economic Benefit Enhancement.

Deferral offered for expedited settlement.

20.0%

Final Penalty Amount

Final Assessed Penalty

Adjustment

Reduction

\$59,437

\$59,437

-\$11,887

\$47,550

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage.

PCW

Respondent E. I. du Pont de Nemours and Company Policy Revision 2 (September 2002) PCW Revision October 30, 2008

Case ID No. 48513

Reg. Ent. Reference No. RN100216035

Media [Statute] Industrial and Hazardous Waste Enf. Coordinator Keith Frank

Component	Number of	Number	Adjust
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	In a special assistance program In a special assistance program	No	0%
		entage (Su	btotal 2
eat Violator No		entage (Su	btotal 3
	ory Person Classification (Subtotal 7)		
STEEL STATES OF THE STATE OF TH			
Satisfactory		entage (Su	btotal 7
ipilatice nist	ory Summary		7
Compliance History Notes	Enhancement for three orders containing a denial of liability.		

		eening Date				t No. 2014-0506-MLM-E		PCW
		Respondent		de Nemours an	d Company			(September 2002)
Dog		Case ID No. ference No.		-			PCW Revision	October 30, 2008
Keg.		ia [Statute]			cha			31
		Coordinator		nazardous wa	ste			
		lation Number	Part of the last o	7				1
		Rule Cite(s)	30 Tex. Admi	n. Code 8 331	53(a) and Undergr	round Injection Control ("UI	C") Permit	
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			*			Nam Militaria de Maria de Santa de Maria		
	Violatio	on Description				FUIC well monitoring equipn pment was not conducted fo D11.		
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		Human health	or the enviror	ment will or co	uld be exposed to	significant amounts of pollu	tants that	
	Matrix Notes			are protective		or environmental receptors		
						Adjustment	\$7,500	
						Adjustillelit	\$7,500	
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Violatio	on Even	te						
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		Number of \	/iolation Event	s 1	1	54 Number of violation of	days	
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			daily weekly					
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			quarterly			Violation Base	e Penalty	\$2,500
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			annual					1
			single event	L X				
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Good E	aith Eff	orts to Com	nlv	10.0%			Reduction	\$250
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F	nie Par	ofit (ED) for	thic violet	an .		Violation	FORMULA SUA	\$2,250
Econon	nic Ben	efit (EB) for	this violati	ion		Statutory Limit	4	
		Estimate	ed EB Amoun	t	\$113	Violation Final Pena	alty Total	\$5,688
				This viol	ation Final Asse	ssed Penalty (adjusted f	or limits)	\$5,688

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Violation No.	The state of the s	Hazardous Masco				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0 \$0	n/a n/a	\$0 \$0
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Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
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2 (September 2002)			g Date 18-Oct-2012	
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	ustrial and Hazardous Waste			
			linator Keith Frank	
	2	_		
	30 Tex. Admin. Code §§ 335.43(a) and 335.112(a)(2), 40 Code of Federal	Admin Code SS 335 43(a) and 335	014 4 4	
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	Caused, suffered, allowed, or permitted the unauthorized disposal of industrial zardous waste ("IHW") by failing to maintain and operate the Facility in a manner signed to minimize the possibility of an unplanned sudden release or non-sudden lease of hazardous waste or hazardous waste constituents to air, soil, or surface water. Specifically, a spill from the AWWT tank occurred on February 4, 2011, releasing approximately 18,570 pounds of hazardous waste (Environmental otection Agency ("EPA") Waste Codes D018-benzene and D036-nitrobenzene) to the North/South run of "B" ditch.	waste ("IHW") by failing to maintain or minimize the possibility of an unplai hazardous waste or hazardous waste Specifically, a spill from the AWWT taing approximately 18,570 pounds of hagency ("EPA") Waste Codes D018-t	hazardous waste designed to minir release of hazard water. Specific releasing app	Violatio
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	at are protective of human health or environmental receptors as a result of the violation.		<i>4</i> 2	Notes
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	E	conomic	Benefit	Wo	rksheet		
Respondent	E. I. du Pont	de Nemours and C	ompany				
Case ID No.							
eg. Ent. Reference No.	RN100216035	5					
Media	Industrial and	Hazardous Waste					Years of
Violation No.	2					Percent Interest	Depreciation
						5.0	15
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V28 V 12/ 13/19/9		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs		1		1 0 00	1 40	10	40
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System Training/Sampling				0.00	\$0 \$0	n/a n/a	\$0 \$0
Remediation/Disposal				0.00	\$0	n/a n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs							
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterii	ng item (except	for one-time avoid	ded costs)
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]	United residences			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$5,874	4-Feb-2011	1-Jul-2015	5.32	\$1,563	\$5,874	\$7,437
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs						pounds of hazardous he date of ownershi	
Approx. Cost of Compliance		\$5,874			100000000000000000000000000000000000000		
					TOTAL		\$7,437

		ening Date				et No. 2014-0506-MLM-E		PCW
		Respondent		e Nemours an	d Company		Policy Revision	2 (September 2002)
0		Case ID No.					PCW Revision	on October 30, 2008
Reg.		ference No.			DIANG			
	Medi	a [Statute]	Industrial and	Hazardous Wa	iste			
		Coordinator ation Number		า				
	VIOI	Rule Cite(s)	and the second s	JL Code SS	225 424-1 4 22	5 443/- V(3) 40 655 65 365	24 1	
		Rule Cite(3)	30 Tex. Ad	200000000000000000000000000000000000000	335.43(a) and 33. (c), and Tex. Wate	5.112(a)(2), 40 CFR §§ 265. er Code § 26.121	31 and	
				red, allowed, o	or permitted the u	nauthorized disposal of IHW		
	Violatio	n Description	of an unpla hazardous wa the caus approximately	enned sudden of ste constituen storage tar 20,500 pound	release or non-sur ts to air, soil, or s nk (pipe) occurred ds of hazardous w	er designed to minimize the dden release of hazardous w urface water. Specifically, a on February 10, 2011, relea aste (EPA Waste Code D002	aste or spill from ssing	
			Wa	iste) to the no	rth ditch and the	East/West run of "B" ditch.	e Penalty	\$10,000
>> Env	vironme	ntal, Proper	tv and Hum	an Health	Matrix		e Penaity	\$10,000
				Harm				
OR		Release Actual	Major	Moderate	Minor			
OK.		Potential		X		Percent 50%		
1 120110								
>>Pro	gramma	tic Matrix Falsification	Major	Moderate	Minor			
		raisineación	Hajor	Hoderate		Percent 0%		
			t-		 		•	
								\$5,000
/iolatic	on Event	S		CO VII DE LA EN	VILLONE DE L'ARRICA	MENTALEGRAPHIC CONTRACTOR		
		Number of V	iolation Events	1		Number of violation	days	
			daily weekly monthly quarterly			Violation Bas	e Penalty	\$5,000
	ì		semiannual annual single event	×	<i>6</i>			
				One single	event is recomme	nded.		
Good F	aith Effo	orts to Comp	oly	0.0%	inavita playay		Reduction	
				Before NOV	NOV to EDDDD/Cattle			\$0
			Extraordinary Ordinary	Before NOV	NOV to EDPRP/Settle		1	\$0
					NOV to EDPRP/Settle			\$0
			Ordinary	×		ment Offer		\$0
			Ordinary N/A	×	ent does not mee	t the good faith criteria for	Subtotal	
conom	nic Bene	fit (EB) for	Ordinary N/A Notes	x The Respond	ent does not mee	t the good faith criteria for tion.	Subtotal	\$5,000
conom	nic Bene	fit (EB) for Estimate	Ordinary N/A Notes this violatio	x The Respond	ent does not mee this viola	t the good faith criteria for tion. Violation Statutory Limit	Subtotal	\$5,000
conon	nic Bene	- 10 - 5	Ordinary N/A Notes	The Respond	ent does not mee this viola \$8,192	t the good faith criteria for tion.	Subtotal Test alty Total	

Case ID No. Reg. Ent. Reference No. Media Violation No. Item Description	RN100216035 Industrial and 3	Hazardous Waste					
Media Violation No.	Industrial and 3						
						Percent Interest	Years of
Item Description						i creent anterest	Depreciation
Item Description						5.0	15
Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs	S. L. William	LON- STALL					
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs Other (as needed)				0.00	\$0	n/a	\$0
outer (as necessary					50	n/a	\$0
İ	1			0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterir	ng item (except	for one-time avoid	ded costs)
Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterir	ng item (except	for one-time avoid	ded costs) \$0
Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	enterir 0.00 0.00	ng item (except \$0 \$0	for one-time avoid	ded costs) \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	enterir 0.00 0.00 0.00	\$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	ANNUAL	IZE [1] avoided	costs before	enterir 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel aspection/Reporting/Sampling	\$6,474	IZE [1] avoided	costs before	enterir 0.00 0.00 0.00	\$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0	ded costs) \$0 \$0 \$0

Respondent E. I. du Pont de I	Docket No. 2014-0506-MLM-E	PCW
	Nemours and Company Policy I	Revision 2 (September 2002)
Case ID No. 48513	PC	W Revision October 30, 2008
Reg. Ent. Reference No. RN100216035	40-4100-41-41-410-41-41-41-41-41-41-41-41-41-41-41-41-41-	
Media [Statute] Industrial and Ha Enf. Coordinator Keith Frank	azardous waste	
Violation Number 4		
Rule Cite(s)	20 No. 100 No. 201 (2010) 8 Hope (2004) A 2004 For 100 (2011) 8 HOD (1990) 17 Hope (17 Hope (ags an
30 Tex. Admin. 0	Code § 335.2(b), 40 CFR § 270.1(c), and Tex. Water Code § 26.1	21
Violation Description waste ("ISW").	d, allowed, or permitted the unauthorized disposal of industrial so Specifically, a spill from the aniline safety tank occurred on March g approximately 8,262 pounds of Class 1 waste to the ACRN/ANII combined ditch.	2,
	Base Pena	1ty \$10,000
>> Environmental, Property and Huma	n Health Matrix	
	Harm	
OR Release Major	Moderate Minor	
Potential	X Percent 25%	
>>Programmatic Matrix		
Falsification Major	Moderate Minor	
	Percent 0%	
Human health or the environm	ent has been exposed to insignificant amounts of pollutants that	do
Matrix not exceed levels that are prote	ective of human health or environmental receptors as a result of t	
Notes Notes	violation.	NAME OF THE PARTY
Pint it	(ALA LY SOUP MANUAL) (
	Adjustment \$7,5	500]
		\$2,500
Violation Events		
Number of Violation Events	1 596 Number of violation days	
Training of Training	1 SSO Manual of Manual adja	
daily		
weekly		
monthly	Wieletien Been Benn	ta. 500
quarterly	Violation Base Pena	\$2,500
semiannual		
annual	X	4
	×	
annual	TAKEN PAR	
annual	X One single event is recommended.	
annual	TAKEN PAR	
annual	One single event is recommended. 0.0% Reducti	on \$0
annual single event	One single event is recommended.	on \$0
annual single event Good Faith Efforts to Comply Extraordinary	One single event is recommended. 0.0% Reducti	on \$0
annual single event Good Faith Efforts to Comply Extraordinary Ordinary	One single event is recommended. O.0% Before NOV NOV to EDPRP/Settlement Offer	on \$0
annual single event Good Faith Efforts to Comply Extraordinary Ordinary N/A	One single event is recommended. O.0% Before NOV NOV to EDPRP/Settlement Offer X	on \$0
annual single event Good Faith Efforts to Comply Extraordinary Ordinary N/A	One single event is recommended. O.0% Before NOV NOV to EDPRP/Settlement Offer	on \$0
annual single event Good Faith Efforts to Comply Extraordinary Ordinary N/A	One single event is recommended. Reduction September 1	
annual single event Good Faith Efforts to Comply Extraordinary Ordinary N/A	One single event is recommended. Reduction Violation Subto	
annual single event Good Faith Efforts to Comply Extraordinary Ordinary N/A Notes T	One single event is recommended. Reduction X Violation Subtoon Statutory Limit Test	tal \$2,500
annual single event Good Faith Efforts to Comply Extraordinary Ordinary N/A Notes	One single event is recommended. Reduction Violation Subto	tal \$2,500 tal \$5,972

	E	conomic	Benefit	Wo	rksheet		
Respondent	E. I. du Pont	de Nemours and C	ompany				
Case ID No.						*	
Reg. Ent. Reference No.	RN100216035	5					
		Hazardous Waste	r.			E THURST	Years of
Violation No.		Hazardous Waste				Percent Interest	Depreciation
Violation No.	7						
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs		200					
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Avoided Costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0 \$0	for one-time avoid \$0 \$0 \$0	\$0 \$0 \$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]	10.444			0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$2,669	2-Mar-2011	1-Jul-2015	5.25	\$701	\$2,669	\$3,370
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs						pounds of Class I w ne date of ownership	

			18-Oct-2012			ket No. 2014-0506-MLM-E		PCW
		: 5 A B = 10 A B A B A B A B A B A B A B A B A B A	E. I. du Pont de N	lemours and	d Company			(September 2002)
Ren		se ID No.	48513 RN100216035				PCW Revisio	n October 30, 2008
Keg.			Industrial and Haz	zardous Wa	ste			
	Enf. Co	ordinator	Keith Frank	zaruous wa	310			
		ion Number						
		Rule Cite(s)	30 Tex. Admir	. Code §§	335.43(a) and 3	35.112(a)(2), 40 CFR §§ 265.	31 and	
						ter Code § 26.121	AT (7)(AT)	
			to maintain and o	perate the	Facility in a mai	unauthorized disposal of IHW nner designed to minimize the	possibility	
	Violation	Description	hazardous waste the dilute HNO	constituen 3 tank occu zardous wa	ts to air, soil, or rred on March 1	sudden release of hazardous was surface water. Specifically, a 17, 2011, releasing approximat Code D002-corrosive waste) t of "B" ditch.	spill from ely 563	
						Bas	e Penalty	\$10,000
>> Env	rironment	tal, Proper	ty and Humar	Health Harm	Matrix			
		Release		Moderate	Minor			
OR		Actual Potential		X		Percent 50%		
		roterida				7 er cent		
>>Prog	grammati							
		Falsification	Major	Moderate	Minor	Donners 000		
	L					Percent 0%		
	Matrix Notes					nificant amounts of pollutants t ironmental receptors as a resu		
						Adjustment	\$5,000	
							44/444	
								\$5,000
Violatio	n Events							
		2200002-000020						
	S	Number of \	/iolation Events	1		581 Number of violation	lays	
		4	daily					
			weekly					
			monthly				19	
			quarterly			Violation Bas	e Penalty	\$5,000
			semiannual					
			annual					
			single event	X				
				One single	event is recomn	nended.		
	L				V			
Good Fa	aith Effor	ts to Com	DIY	0.0% Before NOV	NOV to EDPRP/Set		Reduction	\$0
			Extraordinary	Beiore NOV	NOV to EDFRITSE	cientent one		
			Ordinary					
			N/A	×				
		8	Notes	he Respond		eet the good faith criteria for plation.		
					N.	Violation	Subtotal	\$5,000
Econom	ic Benefi	t (EB) for	this violation			Statutory Limit	Test	
			ed EB Amount		\$348	Violation Final Pena	5 =	\$11,944
				121212000000000	- 1000 - 2000			
				This vio	iation Final As	ssessed Penalty (adjusted for	or limits)	\$11,944

Case ID No. eg. Ent. Reference No.	48513 RN100216035 Industrial and	le Nemours and C	ompany				
eg. Ent. Reference No. Media	RN100216035 Industrial and						
Media	Industrial and						
Violation No.		Hazardous Waste				Percent Interest	Years of Depreciation
	3					5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs							
				0.00	\$0	n/a	\$0
Other (as needed)				0.00			
Notes for DELAYED costs Avoided Costs Disposal	ANNUAL	IZE [1] avoided	costs before	0.00 enterir	\$0 \$0 ng item (except	n/a n/a for one-time avoid \$0	\$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0	n/a n/a for one-time avoid	\$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	ANNUAL	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00	\$0 \$0 ng item (except \$0 \$0	n/a n/a for one-time avoid \$0 \$0	\$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	ANNUAL	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00 0.00	\$0 \$0 \$0 ng item (except \$0 \$0 \$0 \$0	n/a n/a for one-time avoid \$0 \$0 \$0	\$0 \$0 \$0 led costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	ANNUAL \$276	IZE [1] avoided	costs before	0.00 enterir 0.00 0.00 0.00 0.00	\$0 \$0 \$0 ng item (except \$0 \$0 \$0 \$0	n/a n/a for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 \$0 led costs) \$0 \$0 \$0 \$0

	Screening Date	18-Oct-2012	De	ocket No. 2014-0506-MLM-E		PCW
			Nemours and Company		Policy Revision 2 (5	September 2002)
1997-23/27	Case ID No.				PCW Revision (October 30, 2008
Reg. En	t. Reference No.		243 887 882 884 887772			
	Media [Statute] Enf. Coordinator	Industrial and H	lazardous Waste			
	Violation Number					
	Rule Cite(s)		C-d- 55 225 2/h) 225 4	2(-) 225 112(-)(2) 40 055	55 265 24	
	nuic cite(3)	30 Tex. Admin.		3(a), and 335.112(a)(2), 40 CFR x. Water Code § 26.121	99 265.31	
v	iolation Description	by falling to ma possibility of an or hazardous from the west w 48.4 pounds nitrobenzene	aintain and operate the Fa unplanned sudden release waste constituents to air, vastewater tank occurred s of hazardous waste (EPA e) and Class 1 waste to th	the unauthorized disposal of ISW cility in a manner designed to mine or non-sudden release of hazard soil, or surface water. Specifical on March 19, 2011, releasing app. Waste Codes D018-benzene and e North/South run of "B" ditch. Te from outfall 001 to the Neches	nimize the dous waste y, a spill roximately D036- The spill	
		U		Bas	e Penalty	\$10,000
>> Enviro	onmental, Prope	rty and Huma	an Health Matrix			
	Release	Major	Harm Moderate Minor			
OR	Actual		X MINO	$1^{\frac{1}{4}}$		
	Potential			Percent 50%		
>> Progra	mmatic Matrix					
riogra	Falsification	Major	Moderate Minor	ACAT TO SEE SEE		
				Percent 0%		
				significant amounts of pollutants of polluta		
				Aujustillelit	\$5,000	\$5,000
	Carrie alla centra anno s					\$3,000
Violation	Events					
	Number of \	Violation Events	1	579 Number of violation	days	
		daily				
		weekly				
		monthly				
		quarterly		Violation Bas	e Penalty	\$5,000
		semiannual				
		annual single event				
		anigic event [
			One single event is reco	mmended.		
Cood F-iti	h Efforts to Co-		0.006		Do di sable s	\$0
Joou Faiti	h Efforts to Com	L	0.0% Before NOV NOV to EDPRP,	/Settlement Offer	Reduction	\$ 0
		Extraordinary				
		Ordinary				
		N/A	x			
		Notes		meet the good faith criteria for violation.		
				Violation	Subtotal	\$5,000
Economic	Benefit (EB) for	this violation	n a de la companya d	Violation Statutory Limit		\$5,000
Economic		this violation	n \$227		Test	\$5,000 \$11,944

		conomic		Wo	rksheet		
Respondent	E. I. du Pont d	de Nemours and C	ompany				
Case ID No.	. 48513						
eg. Ent. Reference No.	. RN100216035	5					
: [1] [1] [1] [1] [1] [2] [2] [2] [2] [2] [2] [2] [2] [2] [2		Hazardous Waste					Years of
Violation No.		Transfer of the Control of the Contr				Percent Interest	Depreciation
Violation No.						1	
	420000000000000000000000000000000000000	22/10/27 00/2007 00/00/00/00/00/00	and the same and a second	10000		5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	1						
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	ANNUAL	IZE [1] avoided	costs before	enterir	ng item (except	for one-time avoid	led costs)
Disposal	The state of the s	I I		0.00	\$0	\$0	\$0
Personnel		i i		0.00	\$0	\$0	\$0
spection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
	\$180	19-Mar-2011	1-Jul-2015	5.21	\$47	\$180	\$227
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3] Other (as needed)							
[2] 하는 현실 나는 이 집에 가게 하는 것이 맛있다면 하는 것이 없었다면 하다면 하는데 하다 하다 하는데					he spill date. Fina	ds of hazardous was il Date is the date of	

Penalty Calculation Worksheet (PCW) Policy Revision 3 (September 2011) PCW Revision August 3, 2011 15-Oct-2012 Assigned Screening 18-Oct-2012 PCW 26-Feb-2018 EPA Due RESPONDENT/FACILITY INFORMATION Respondent E. I. du Pont de Nemours and Company Reg. Ent. Ref. No. RN100216035 Facility/Site Region 10-Beaumont Major/Minor Source Major **CASE INFORMATION** Enf./Case ID No. 48513 No. of Violations 10 Docket No. 2014-0506-MLM-E Media Program(s) Industrial and Hazardous Waste Order Type 1660 Government/Non-Profit No Enf. Coordinator Keith Frank Multi-Media Underground Injection Control EC's Team Enforcement Team 6 Admin. Penalty \$ Limit Minimum Maximum \$25,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 \$75,000 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. Compliance History \$45,000 60.0% Subtotals 2, 3, & 7 Notes Enhancement for three orders containing a denial of liability. Subtotal 4 \$0 Culpability No 0.0% Enhancement The Respondent does not meet the culpability criteria. Notes **Good Faith Effort to Comply Total Adjustments** Subtotal 5 -\$4,312

0.0% Enhancement*

Recommended enhancement to capture the avoided cost of compliance

associated with Violation Nos. 1, 3, 8, 9, and 10.

Deferral offered for expedited settlement.

*Capped at the Total EB \$ Amount

2.90%

20.0%

Economic Benefit

SUM OF SUBTOTALS 1-7

Notes

Notes

PAYABLE PENALTY

DEFERRAL

STATUTORY LIMIT ADJUSTMENT

Reduces the Final Assessed Penalty by the indicated percentage.

Total EB Amounts

Estimated Cost of Compliance

OTHER FACTORS AS JUSTICE MAY REQUIRE

Reduces or enhances the Final Subtotal by the indicated percentage.

Subtotal 6

Final Subtotal

Final Penalty Amount

Final Assessed Penalty

Reduction

Adjustment

Adjustment

\$0

\$115,688

\$119,040

\$119,040

-\$23,808

\$95,232

\$3,352

PCW

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Respondent E. I. du Pont de Nemours and Company

Case ID No. 48513

Reg. Ent. Reference No. RN100216035

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Keith Frank

Component	Number of	Number	Adjust
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission		0%
Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)		0%
and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government		0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)		0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
15 15 15 15 15 15 15 15 15 15 15 15 15 1	Adjustment Pe	rcentage (Si	ubtotal 2)
	(Subtotal 3)		
No	Adjustment Pe	rcentage (Si	ubtotai 3)
pliance Hist	ory Person Classification (Subtotal 7)		
Satisfactory	Performer Adjustment Pe	rcentage (Si	ubtotal 7)
pliance Hist	ory Summary		
Compliance History Notes	Enhancement for three orders containing a denial of liability.		
	Total Compliance History Adjustment Percentage (

		eening Date				t No. 2014-0506-MLM-E		PCW
			E. I. du Pont de	Nemours an	d Company		Policy Revision 3	(September 2011)
Pos		Case ID No.					PCW Revisi	on August 3, 2011
Reg.		ference No.	Industrial and H	lazardoue Wa	ste			
	Enf.	Coordinator	Keith Frank	iazai uous wa	sce			
		lation Number						
		Rule Cite(s)	30 Tex. Admin.	Code § 331.6	4(b) and Undergr	ound Injection Control ("U	IC") Permit	
						Permit Provision ("P.P.") V		
	Violatio	on Description				d waste at least once ever e 24-hour time periods on ., 2011.		
						Ba	se Penalty	\$25,000
						5 0.	se renatey	423,000
>> Env	vironme	ental, Proper	rty and Huma		Matrix			
		Release	Major	Harm Moderate	Minor			
OR		Actual				PARK STONERS VIII ON PROPERTY AND A		
		Potential		Х		Percent 15.0%]	
>>Pro	gramma	atic Matrix						
		Falsification	Major	Moderate	Minor		28	
						Percent 0.0%]	
		U.casa baskb			and her supposed he	-1		
	Matrix Notes			re protective		significant amounts of poll or environmental receptors		
						Adjustment	\$21,250	
			ATTOTAL ALL SALES			- Augustinone	422/200	
								\$3,750
Violatio	on Even	ts					1000	
			F				tura tura a tura	
		Number of \	violation Events[2		Number of violation	days	
		Í	daily					
			weekly					
			monthly			13.1.3.1.0		
			quarterly semiannual			Violation Bas	se Penalty	\$7,500
			annual					
			single event	×				
		1/2						
		Two	single events are	recommend	ed (one event for	each sample not collected	.	
			onigie evento en		00 (0110 01010 101	addit battiple flee delicated	<u></u>	
			CONTRACTOR OF THE PROPERTY OF				524500 (Automotivated	1750
Good F	aith Eff	orts to Com		10.0% fore NOE/NOV	NOE/NOV to EDPRP/S	Settlement Offer	Reduction	\$750
			Extraordinary	lore working t	NOL/NOV to EDINI/E			
			Ordinary		×			
			N/A				n	
			Notes			mpliance on October 26, prcement ("NOE") dated 8, 2012.		
						Violatio	n Subtotal	\$6,750
Econon	nic Bene	efit (EB) for	this violatio	n		Statutory Limit	t Test	
		Estimate	ed EB Amount		\$111	Violation Final Per	alty Total	\$11,576
				This viol	ation Final Asses	ssed Penalty (adjusted	for limits)	\$11,576
					proceeding was polyment with the services	(aajastea		722/070

12.000 (1.		conomic		440	KSHEEL		
Respondent	E. I. du Pont d	de Nemours and C	ompany				
Case ID No.	48513						
eg. Ent. Reference No.	RN100216035	5					
		Hazardous Waste				Englishment Services Williams	Years of
Violation No.		Hazaradas Waste	•			Percent Interest	Depreciation
Violation No.							and the second s
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
,							
Delayed Costs							
Equipment		T T		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
				0 00	40	n/a	40
Remediation/Disposal				0.00	\$0 \$0	n/a	\$0 \$0
Remediation/Disposal Permit Costs Other (as needed)			implement pro	0.00 0.44 cedure	\$0 \$11 s designed to ensi	n/a n/a ure the specific grav	\$0 \$11 ity of injected
Remediation/Disposal Permit Costs	Estimated co	st to develop and	implement pro	0.00 0.44 cedure	\$0 \$11 s designed to ensitive the investigation	n/a n/a	\$0 \$11 ity of injected
Remediation/Disposal Permit Costs Other (as needed)	Estimated co waste is mo	ost to develop and onitored every 24	implement pro hours. Date Re	0.00 0.44 cedure equired compli	\$0 \$11 s designed to ensi is the investigatio iance.	n/a n/a ure the specific grav	\$0 \$11 ity of injected is the date of
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs	Estimated co waste is mo	ost to develop and onitored every 24	implement pro hours. Date Re	0.00 0.44 cedure equired compli enterir	\$0 \$11 s designed to ensi is the investigation iance. ng item (except	n/a n/a ure the specific grav on date. Final Date	\$0 \$11 ity of injected is the date of
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated co waste is mo	ost to develop and onitored every 24	implement pro hours. Date Re	cedure equired compli enterir	\$0 \$11 s designed to ensi is the investigation iance. ng item (except \$0 \$0	n/a n/a ure the specific grav on date. Final Date for one-time avoid	\$0 \$11 ity of injected is the date of
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated co waste is mo	ost to develop and onitored every 24	implement pro hours. Date Re	cedure equired compli enterir 0.00 0.00 0.00	\$0 \$11 s designed to ensi is the investigation iance. ng item (except \$0 \$0 \$0	n/a n/a ure the specific grav on date. Final Date for one-time avoid \$0 \$0 \$0 \$0	\$0 \$11 bity of injected is the date of ded costs) \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated co waste is mo	ost to develop and onitored every 24	implement pro hours. Date Re	cedure equired compli enterin 0.00 0.00 0.00 0.00	\$0 \$11 s designed to ensi is the investigation lance. ng item (except \$0 \$0 \$0 \$0	n/a n/a n/a ure the specific grav on date. Final Date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$11 ity of injected is the date of ded costs) \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated co waste is mo	ist to develop and onitored every 24	implement pro hours. Date Re costs before	0.00 0.44 cedure equired compli enterin 0.00 0.00 0.00	\$0 \$11 s designed to ensitive investigation ince. In item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ure the specific grav on date. Final Date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$11 ity of injected is the date of ded costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated co waste is mo	ost to develop and onitored every 24	implement pro hours. Date Re	0.00 0.44 cedure compli enterin 0.00 0.00 0.00 0.00	\$0 \$11 s designed to ensist the investigation ince. In gitem (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	n/a n/a ure the specific grav on date. Final Date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$100	\$0 \$11 ity of injected is the date of ded costs) \$0 \$0 \$0 \$0 \$0 \$100
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated co waste is mo	ist to develop and onitored every 24	implement pro hours. Date Re costs before	0.00 0.44 cedure equired compli enterin 0.00 0.00 0.00	\$0 \$11 s designed to ensitive investigation ince. In item (except \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a ure the specific grav on date. Final Date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$11 ity of injected is the date of ded costs) \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated co waste is mo	IZE [1] avoided	implement prohours. Date Recosts before 1-Nov-2011	0.00 0.44 cedure equired compli enterin 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$11 s designed to ensitive investigation in the	n/a n/a n/a ure the specific grav on date. Final Date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$100 \$0 \$0 \$0 \$100 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	\$0 \$11 bity of injected is the date of ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel aspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated co waste is mo	IZE [1] avoided	implement pro hours. Date Re costs before 1-Nov-2011 iltor the specific the first date t	enterir 0.00 0.44 cedure equired compli	\$0 \$11 s designed to ensitive investigation in the	n/a n/a n/a ure the specific grav on date. Final Date for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$100 \$0 \$0 \$100 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$100 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	\$0 \$11 bity of injected is the date of ded costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

	Screening Date		M-E PCW
	Respondent Case ID No.	E. I. du Pont de Nemours and Company	Policy Revision 3 (September 2011)
Rea.	Ent. Reference No.		PCW Revision August 3, 2011
		Industrial and Hazardous Waste	
	Enf. Coordinator	Keith Frank	
	Violation Number	2	
	Rule Cite(s)	30 Tex. Admin. Code § 331.67(a)(4) and UIC Permit No. WDW1	88, P.P.IX.
	Violation Description	Failed to keep complete and accurate UIC records. Specifically, the flow records were not accurate for November 12, 2011	
			Base Penalty \$25,000
>> Env	vironmental, Prope	ty and Human Health Matrix	
		Harm	
OR	Release Actual	Major Moderate Minor	
	Potential		0.0%
D	auauauatia Matuliy		
>>Pro	grammatic Matrix Falsification	Major Moderate Minor	
			5.0%
	Matrix Notes	100% of the rule requirement was not met.	*
		Adjustment	\$21,250
			\$3,750
Violati	on Events		
Violatio	on Events	Western the control of the first of the second seco	The state of the s
	Number of	/iolation Events 1 Number of viola	ation days
		dally	
		weekly	
		monthly	-
			Base Penalty \$3,750
		semiannual annual	
		single event x	
		One single event is recommended.	
Good E	aith Efforts to Com	oly 10.0%	Reduction \$375
GOOU F	aith Enorts to Com	Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer	Reduction
		Extraordinary	
		Ordinary X	
		N/A	
		Notes The Respondent came into compliance on October 2	:6,
		2012, after the NOE dated September 28, 2012.	
		Viol	ation Subtotal \$3,375
Econon	nic Benefit (EB) for	this violation Statutory L	imit Test
		ed EB Amount \$11 Violation Final	en e e e e e e e e e e e e e e e e e e
	Estimat		
		This violation Final Assessed Penalty (adjus	ted for limits) \$5,7881

	E	conomic	Benefit	Wo	rksheet		
Respondent	E. I. du Pont d	de Nemours and C	Company				
Case ID No.	48513						
Reg. Ent. Reference No.	RN100216035	;					
Media Violation No.		Hazardous Waste	1			Percent Interest	Years of Depreciation
violation No.	2					The same of the sa	
	society contract contract	Laborate and responding the second	122000000000000000000000000000000000000	1/20-30	Same and the second second second	5.0	15
		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$500	17-May-2012	26-Oct-2012	0.44	\$11	n/a	\$11
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
WHEN THE WAS ARRONAUSTAND TO W	Estimated co	st to begin mainta	ainina complete	and ac	curate UIC record	s at the Facility. Da	te Required is
Notes for DELAYED costs		the inv	estigation date.	Final	Date is the compli		
Avoided Costs		the inv	estigation date.	Final enterir	Date is the compli	ance date. for one-time avoid	led costs)
Avoided Costs		the inv	estigation date.	Final enterir 0.00	Date is the compli ng item (except \$0	ance date. for one-time avoid \$0	led costs)
Avoided Costs Disposal Personnel		the inv	estigation date.	Final enterir 0.00 0.00	Date is the complied the property of the prope	ance date. for one-time avoid \$0 \$0	s0
Avoided Costs Disposal Personnel spection/Reporting/Sampling		the inv	estigation date.	Final enterir 0.00 0.00 0.00	Date is the complied of the complied of the complete of the co	for one-time avoid \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment		the inv	estigation date.	0.00 0.00 0.00 0.00	pate is the complied of the co	for one-time avoid \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel pspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]		the inv	estigation date.	0.00 0.00 0.00 0.00 0.00	Date is the complied of the complied of the complete of the co	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		the inv	estigation date.	0.00 0.00 0.00 0.00 0.00 0.00	pate is the complied of the complied of the complex	for one-time avoid	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]		the inv	estigation date.	0.00 0.00 0.00 0.00 0.00	Date is the complied of the complied of the complete of the co	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		the inv	estigation date.	0.00 0.00 0.00 0.00 0.00 0.00	pate is the complied of the complied of the complex	for one-time avoid	\$0 \$0 \$0 \$0 \$0 \$0 \$0

		ening Date				et No. 2014-0506-MLM-E		PCW
			E. I. du Pont de l	Nemours and	Company			3 (September 2011)
Pos		Case ID No. ference No.					PCW Revi	sion August 3, 2011
Reg.			Industrial and Ha	azardous Wast				
		Coordinator		32di dod3 11d3t				
		ation Number						
		Rule Cite(s)	30 Tex. Ad	min. Code § 3	31.63(e) and UI	C Permit No. WDW188, P.P.	/II.F.	
	Violatio	on Description	greater than unauthorized zoo Reports showed	the injection nes and to det I the annulus p	tubing pressure ect well malfund pressure differer	east 100 pounds per square in to prevent leaks from the we ctions. Specifically, Quarterly ntial was less than 100 psi fo March 22 and 23, 2012.	ell into / Injection	
						Bas	e Penalty	\$25,000
>> En	vironme	ntal, Proper	ty and Huma	n Health M	latrix			
		722 B. T. T.	100 00	Harm				
OR		Release	Major	Moderate	Minor			
OK		Actual Potential	×			Percent 30.0%		
		, occircion				30.070		
>>Pro	gramma	tic Matrix				7/12/2		
		Falsification	Major	Moderate	Minor	. Barrant 0.000		
						Percent 0.0%		
	Matrix Notes	CONTRACTOR CONTRACTOR				to pollutants that would exce ceptors as a result of the viol	MCG Mark Mark Market Ma	
						Adjustment	\$17,500	
						STATE		12.500
							L	\$7,500
Violati	on Even	ts						
			/iolation Events	2		2 Number of violation	days	
			daily weekly monthly quarterly semiannual annual single event	x		Violation Bas	e Penalty	\$15,000
			Two single even	ts are recomn	nended (one eve	ent for each deviation).		
Good F	aith Eff	orts to Com	Bef	0.0% ore NOE/NOV	OE/NOV to EDPRP/		Reduction	\$0
			Extraordinary					
			Ordinary					
			N/A Notes	X	nt does not mee this viola	et the good faith criteria for ation.		
						Violation	Subtotal	\$15,000
Econor	nic Bene	fit (EB) for	this violation	EMA, ICENTIA		Statutory Limit	Test	
		T-AL EXC	ed EB Amount		\$100	Violation Final Pen	alty Total	\$24,695
				This was		assad Banalty (adjusted f	- 4 <u>- 1</u>	\$24.695

	E	conomic	Benefit	Wo	rksheet		
		de Nemours and C	Company				
Case ID No.	A STATE OF THE STA						
eg. Ent. Reference No.	RN100216035	5					
		Hazardous Waste	2			Percent Interest	Years of
Violation No.	3					E Printed and Section (Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Avoided Costs Disposal Personnel Ispection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	ANNUAL \$100	IZE [1] avoided		0.00 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed)							30

	Screening Date		Docket No. 2014-0506-M	LM-E	PCW
		E. I. du Pont de Nemours ar	nd Company	Policy Revision 3 (0 (5)
Doc	Case ID No.	13.7450 Fig. 5 Francis (1994)	<u> </u>	PCW Revision	on August 3, 2011
Keg.	Ent. Reference No.	RN100216035 Industrial and Hazardous W	note:		
	Enf. Coordinator	muustnai anu mazaroous W Keith Frank	aste		
	Violation Number	4			
	Rule Cite(s)	Carrier St. or call seems	§ 331.142(b) and UIC Permit No. WDW1	.88, P.P.X.	
		VAS 22 37 35 7 7 68 2003 30 30 30	Transport	<u> </u>	
	Violation Description	property damage to thir occurrences arising from a well. Specifically, the Respo	aintain sufficient liability coverage for boo of parties caused by sudden or non-sudd operations of a hazardous waste Class 1 o ondent failed to secure financial assuranc and failed to make an inflation adjustme	en accidental waste injection te from May 1 to	
				Base Penalty	\$25,000
>> En	vironmental, Proper	y and Human Health	Matrix		
		Harm			
OR	Release	Major Moderate	Minor		
OK	Actual Potential		Percent	0.006	
	Foteridal		Percent	0.0%	
>>Pro	grammatic Matrix		CONTRACTOR OF THE STATE OF THE		
	Falsification	Major Moderate	Minor		
		X	Percent 1	5.0%	
	Matrix Notes	100% of the ru	le requirement was not met.		
			Adjustment	\$21,250	
					42.750
					\$3,750
Violati	on Events				
	Number of V	olation Events 1	Number of vie	lation days	
	Number of V	olation Events 1	21 Number of vio	ation days	
	1	daily	٦		
		weekly	1		
		monthly x			
		quarterly	Violatio	n Base Penalty	\$3,750
		semiannual]		
		annual			
		single event			
	10-3100/00.0/10.00.000.0027	Michael Carlo III (1974) A Michael Carlo II			
	One monthly		d on documentation of the violation from 2012 date of compliance.	May 1, 2012 to	
		the Play 22,	zorz date of compliance.		
Good F	aith Efforts to Comp	ly 25.0%		Reduction	\$937
	and and the de term	Before NOE/NOV			
		Extraordinary			
		Ordinary x			
		N/A			
		The Respon	dent came into compliance on May 22, 2	012.	
			to the NOE dated September 28, 2012.	702777	
			Vio	lation Subtotal	\$2,813
Econon	nic Benefit (EB) for	his violation	Statutory I	imit Test	
	Estimate	EB Amount	\$15 Violation Fina	l Penalty Total	\$5,210
		This vi	olation Final Assessed Penalty (adjus	sted for limits)	\$5,210

	E. I. du Pont	de Nemours and C	ompany				
Case ID No.	- State of the sta		p/				
eg. Ent. Reference No.	CONTRACTOR OF CONTRACTOR OF THE	5					
	Industrial and	Hazardous Waste				Percent Interest	Years of Depreciation
Violation No.						5.0	1
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description						0.1101.111.0	
ztem bescription							
Delayed Costs	1000						
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,376 Estimated co		22-May-2012 ncial assurance		\$15 Required is the da	n/a ate the financial assu	\$15 urance lapsed.
Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated co	st of adjusted fina	ncial assurance Final Date i	. Date s the da	Required is the date of compliance.		urance lapsed.
Notes for DELAYED costs	Estimated co	st of adjusted fina	ncial assurance Final Date i	. Date s the da	Required is the date of compliance.	ate the financial assu	urance lapsed.
Notes for DELAYED costs Avoided Costs	Estimated co	st of adjusted fina	ncial assurance Final Date i	Dates the da	Required is the date of compliance.	ate the financial assu	urance lapsed.
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated co	st of adjusted fina	ncial assurance Final Date i	enterir 0.00 0.00 0.00	Required is the date of compliance. ng item (except to \$0	for one-time avoid \$0 \$0 \$0 \$0	led costs) \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated co	st of adjusted fina	ncial assurance Final Date i	enterir 0.00 0.00 0.00	Required is the date of compliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0	led costs) \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated co	st of adjusted fina	ncial assurance Final Date i	enterir 0.00 0.00 0.00 0.00	Required is the date of compliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	Estimated co	st of adjusted fina	ncial assurance Final Date i	enterin 0.00 0.00 0.00 0.00 0.00 0.00 0.00	Required is the date of compliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	led costs \$0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated co	st of adjusted fina	ncial assurance Final Date i	enterir 0.00 0.00 0.00 0.00	Required is the date of compliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated co	st of adjusted fina	ncial assurance Final Date i	enterin 0.00 0.00 0.00 0.00 0.00 0.00 0.00	Required is the date of compliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	led costs \$0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated co	st of adjusted fina	ncial assurance Final Date i	enterin 0.00 0.00 0.00 0.00 0.00 0.00 0.00	Required is the date of compliance. ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	led costs \$0

	eening Date 18-0			et No. 2014-0506-MLM-E		PCW
	Respondent E. I.		urs and Company		Policy Revision 3 (1 31
AND CONTROL SECTION OF THE SECTION O	Case ID No. 485 ference No. RN1				PCW Revision	on August 3, 2011
(100)	ia [Statute] Indu		oue Waste			
Enf.	Coordinator Keit	h Frank	ous waste			
	lation Number	5				
	Rule Cite(s) 30	Tex. Admin. Code	§ 335.112(a)(8) and 40 265.173(a	Code of Federal Regulations a)	("CFR") §	
Violatio		hen it is necessary	to add and/or remove v	waste closed during storage waste. Specifically, three ha storing hazardous waste.		
				Bas	e Penalty	\$25,000
>> Environme	ntal, Property a	and Human He	alth Matrix			
- Livinoilline	intal, Froperty c	Ha				
OR	Release Actual	Major Mode	erate Minor			
OK	Potential	×	,	Percent 15.0%		
	, occincion			15.070		
>>Programma						
	Falsification	Major Mode	erate Minor	D		
				Percent 0.0%		3
	Human health or t	he environment wi	Il or could be exposed to	significant amounts of pollu	tants that	
Matrix Notes	THE STATE STATE OF STATE OF STATE ST			or environmental receptors a		
				Adjustment	\$21,250	
				Aujustillelit	\$21,230	
						\$3,750
Violation Even	te de la companya de			WITH THE REAL PROPERTY.	NI TENEDONI	
Violation Even	LS					
	Number of Violat	ion Events 2		Number of violation	days	
		d=11.				
	(E0) =	daily weekly				
		nonthly				
		uarterly x		Violation Bas	e Penalty	\$7,500
	se	miannual			14.	
	100000	annual				
	sin	gle event				
	Two quarterly ever		ded based on documenta n to the October 18, 201	ation of the violation from the L2 screening date.	e May 17,	
O			0.00			\$750
Good Faith Eff	orts to Comply	Before NO	0.0% E/NOV NOE/NOV to EDPRP/S		Reduction	\$750
	Ext	raordinary	Lynor Hozynor to zorniya			
		Ordinary	x			
		N/A				
			Respondent came into co 012, after the NOE dated	ompliance on October 26, September 28, 2012.		
				Violation	Subtotal	\$6,750
Economic Bene	efit (EB) for this	violation		Statutory Limit	Test	
	Estimated El		\$11	Violation Final Pen		\$11,576
	Estimated El	William Control of the Control of th	90 W SW SW SW 90 W		100 100 100 100 100 100 100 100 100 100	
		TI	nis violation Final Asse	essed Penalty (adjusted f	or limits)	\$11,576

		conomic	Benefit	wo	rksneet		
Respondent	E. I. du Pont	de Nemours and C	ompany				
Case ID No.	48513						
eg. Ent. Reference No.	RN100216035	5					
Media Violation No.		Hazardous Waste				Percent Interest	Years of Depreciation
Violation No.	3					5.0	15
	Thom Cook	Data Danvinad	Final Date	V	T-1	Onetime Costs	EB Amount
THE RESIDENCE PROPERTY OF THE PARTY OF THE P		Date Required	Final Date	YIS	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment		1		0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Remediation/Disposal Permit Costs				0.00	\$0 \$0	n/a	\$0 \$0
Permit Costs Other (as needed)			nd implement p	0.00 0.44 rocedu	\$0 \$11 res designed to er	n/a n/a nsure that all contain	\$0 \$11 ers holding
Permit Costs Other (as needed) Notes for DELAYED costs	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 procedu e. Date e of co	\$0 \$11 res designed to er Required is the in mpliance.	n/a n/a nsure that all contain nvestigation date. Fi	\$0 \$11 ers holding nal Date is the
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 procedu e. Date e of co	\$0 \$11 res designed to er Required is the in mpliance. ng item (except	n/a n/a nsure that all contain nvestigation date. Fi for one-time avoid	\$0 \$11 ers holding nal Date is the
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 procedu Date e of co	\$0 \$11 res designed to er Required is the in mpliance. ng item (except	n/a n/a nsure that all contain exestigation date. Fir	\$0 \$11 ers holding nal Date is the ed costs) \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 rocedu e. Date e of co enterir 0.00 0.00	\$0 \$11 res designed to en Required is the in mpliance. ng item (except 1	n/a n/a n/a nsure that all contain vestigation date. Firefor one-time avoid \$0 \$0	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 rocedu e. Date e of cor enterir 0.00 0.00 0.00	\$0 \$11 res designed to er Required is the in mpliance. ng item (except \$0 \$0 \$0	n/a n/a n/a nsure that all contain exestigation date. Fire for one-time avoid \$0 \$0 \$0 \$0	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 orocedu e. Date e of co enterir 0.00 0.00 0.00	\$0 \$11 res designed to er Required is the in mpliance. ng item (except \$0 \$0 \$0 \$0	n/a n/a n/a nsure that all contain extraction date. Fit for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 crocedu c. Date de of cor enterir 0.00 0.00 0.00 0.00	\$0 \$11 res designed to er Required is the in mpliance. s0 \$0 \$0 \$0 \$0	n/a n/a n/a nsure that all contain expecting the street of	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 orocedu c. Date de of co enterir 0.00 0.00 0.00 0.00	\$0 \$11 res designed to en Required is the in mpliance. ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a nsure that all contain exestigation date. Fire for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 crocedu c. Date de of cor enterir 0.00 0.00 0.00 0.00	\$0 \$11 res designed to er Required is the in mpliance. s0 \$0 \$0 \$0 \$0	n/a n/a n/a nsure that all contain expecting the street of	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 orocedu c. Date de of co enterir 0.00 0.00 0.00 0.00	\$0 \$11 res designed to en Required is the in mpliance. ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a nsure that all contain exestigation date. Fire for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0 \$0 \$0 \$0 \$0
Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	Estimated hazardous wa	cost to develop ar este remain closed	nd implement p during storage dat	0.00 0.44 orocedu c. Date de of co enterir 0.00 0.00 0.00 0.00	\$0 \$11 res designed to en Required is the in mpliance. ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a nsure that all contain exestigation date. Fire for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$11 ers holding hal Date is the ed costs) \$0 \$0 \$0 \$0 \$0 \$0

(4)

9.5

	Screening Date			ocket No. 2014-0506-MLM-E	PCW
			lemours and Company		Policy Revision 3 (September 201)
	Case ID No.				PCW Revision August 3, 201
Reg.	Ent. Reference No.		V 1995 U		
1.7	Media [Statute] Enf. Coordinator	Industrial and Ha	zardous Waste		
	Violation Number				
	Rule Cite(s)		2) 08023303 0002308 2230002 W	Market Colored Server S	
	Kule Cite(s)	30 Te	k. Admin. Code § 335.1	12(a)(1) and 40 CFR § 265.17(a)
	Violation Description	ignitable or read	tive waste. Specifically	ing" signs wherever there is a ha , Container Storage Area ("CSA" 00 did not have "No Smoking" si) Notice of
				Ва	se Penalty \$25,00
>> Env	vironmental, Prope	rty and Huma	n Health Matrix		
			Harm		
0.0	Release		Moderate Minor	a	
OR	Actual			Barrant Cook	7
	Potential			Percent 0.0%	<u> </u>
>>Pro	grammatic Matrix				
	Falsification	Major	Moderate Minor	<u>.</u>	
		X		Percent 15.0%	
	Matrix	25220			
	Notes	100	% of the rule requireme	ent was not met.	
				Adjustment	\$21,250
				Adjustilient	\$21,250]
					\$3,75
Violatio	on Events				
	Number of	Violation Events	3	154 Number of violation	days
	Number of	Violation Events		154 Number of Violation	1 00/3
		daily			
		weekly			
		monthly			
		quarterly		Violation Ba	se Penalty \$11,25
		semiannual			Service of Surface of the Asset Mark C
		annual			
		single event	×		
	ſr.				
	Three single	events are recom	mended (one event for	each CSA without a posted "No	Smoking"
	territorio de la compansión de la compan		sign).		Co., Option (4), (4) (5)
Good F	aith Efforts to Com	ply	10.0%		Reduction \$1,12
		Befo	re NOE/NOV NOE/NOV to E	DPRP/Settlement Offer	
		Extraordinary			
		Ordinary		x	
		N/A		<u> </u>	
			The Respondent came i	nto compliance on October 18,	
		Notes		dated September 28, 2012.	
				10 %	
				Violatio	n Subtotal \$10,12
Econon	nic Benefit (EB) for	this violation		Statutory Limi	t Test
		ed EB Amount	\$2	. NES 80 000 1 = 1 19000	727
	25				- S
			inis violation Fina	I Assessed Penalty (adjusted	for limits) \$17,36

		conomic	Benefit	Wo	rksheet		
Respondent		de Nemours and C	어른 회장들이 없지만 어르게 되었다.				
Case ID No.							
eg. Ent. Reference No.							
[2] [1] [2] [2] [2] [2] [2] [2] [2] [2] [2] [2		Hazardous Waste	·				Years of
Violation No.		Trazardous Waste				Percent Interest	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$100 Estimated	17-May-2012 cost to post "No S		0.42	\$0 \$2	n/a n/a	\$0 \$2
Other (as needed) Notes for DELAYED costs	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	in CSA inal Dat	\$0 \$2 NOR Nos. 72, 84, te is the date of co	n/a n/a and 100. Date Req mpliance.	\$0 \$2 uired is the
Other (as needed) Notes for DELAYED costs Avoided Costs	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	in CSA nal Dat	\$0 \$2 NOR Nos. 72, 84, e is the date of co	n/a n/a and 100. Date Req mpliance. for one-time avoid	\$0 \$2 uired is the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	in CSA nal Dat enterir	\$0 \$2 NOR Nos. 72, 84, e is the date of co	n/a n/a and 100. Date Requipilance. for one-time avoid \$0	\$0 \$2 uired is the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	in CSA inal Dat enterir 0.00	\$0 \$2 NOR Nos. 72, 84, te is the date of co	n/a n/a and 100. Date Requipilance. for one-time avoid \$0 \$0	\$0 \$2 uired is the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	0.42 in CSA nal Dat enterir 0.00 0.00 0.00	\$0 \$2 NOR Nos. 72, 84, te is the date of co ng item (except \$0 \$0 \$0	n/a n/a and 100. Date Req mpliance. for one-time avoid \$0 \$0 \$0 \$0	\$0 \$2 uired is the led costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	0.42 in CSA inal Dat enterir 0.00 0.00 0.00 0.00	\$0 \$2 NOR Nos. 72, 84, te is the date of co ng item (except \$0 \$0 \$0 \$0	n/a n/a n/a and 100. Date Requipilance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 uired is the led costs) \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel nspection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	0.42 in CSA nal Dat enterir 0.00 0.00 0.00 0.00	\$0 \$2 NOR Nos. 72, 84, te is the date of congitem (except 150 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a and 100. Date Requipilance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 uired is the led costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	0.42 in CSA nal Dat enterir 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$2 NOR Nos. 72, 84, e is the date of co ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a and 100. Date Requipilance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 uired is the led costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel respection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	0.42 in CSA nal Dat enterir 0.00 0.00 0.00 0.00	\$0 \$2 NOR Nos. 72, 84, te is the date of congitem (except 150 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a and 100. Date Requipilance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 uired is the led costs) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	Estimated	cost to post "No S investi	Smoking" signs gation date. Fi	0.42 in CSA nal Dat enterir 0.00 0.00 0.00 0.00 0.00 0.00	\$0 \$2 NOR Nos. 72, 84, e is the date of co ng item (except 1 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a n/a n/a and 100. Date Requipilance. for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$2 uired is the led costs) \$0 \$0 \$0 \$0 \$0

	ening Date 18-			ocket No. 2014-0506-MLM-E	PCW
	Respondent E. I		ours and Company		Policy Revision 3 (September 2011)
	Case ID No. 485 ference No. RN:				PCW Revision August 3, 2011
	a [Statute] Ind		davie Maste		
Enf. (Coordinator Keil	ustriai anu nazart th Frank	lous waste		
	ation Number	7			
	Rule Cite(s)	30 Tev. A	dmin. Code 5 335 1	.12(a)(3) and 40 CFR § 265.52(f)	
	2-31	30 Tex. A	diffili. Code g 333.1	112(a)(3) and 40 CFR g 203.32(1)	
Violatio	n Description	Falled by Isal			<u></u>
violatio	n Description	railed to inci	ude an evacuation j	plan as part of the contingency pla	n.
				Rac	e Penalty \$25,000
>> Fasiluanas		UNITED THE PROPERTY OF THE PRO		Das	\$25,000
>> Environme	ntal, Property		arm		
	Release		derate Minor	-	
OR	Actual				
	Potential			Percent 0.0%	
>>Programma	tic Matrix				Э.
	Falsification	Major Mod	derate Minor		
		×		Percent 15.0%	
Matrix		100% 0	f the rule requireme	ent was not met	
Notes		100700	r the rate requireme	and was not mee.	
				101	
	me awdita ning			Adjustment	\$21,250
					\$3,750
					40/1.00
Violation Event	ts				
	Number of Viola	tion Events	1	154 Number of violation	days
	Number of Viola	don Events		134 Number of Violation	udys
	4-115	daily			
		weekly			
		monthly			
		quarterly		Violation Bas	e Penalty \$3,750
	se	miannual			
	ale	annual			
	Sir	ngle event	×		
Ŷ					
		One	e single event is rec	ommended.	1
Good Faith Effo	orts to Comply	Segretaria (10.0%		Reduction \$375
		Before N		EDPRP/Settlement Offer	7,510
	Ex	traordinary			566
		Ordinary		×	
		N/A			
		The	Respondent came	into compliance on October 26,	
		Notes	012, after the NOE	dated September 28, 2012.	
			The second secon		
				Violation	Subtotal \$3,375
Economic Bene	fit (EB) for this	s violation		Statutory Limit	Test
	Estimated E	B Amount	\$2	Violation Final Pen	alty Total \$5,788
			his violation Fina	l Assessed Penalty (adjusted f	or limits) \$5,788

	E	conomic	Benefit	Wo	rksheet		
Respondent	E. I. du Pont d	de Nemours and C	Company				
Case ID No.	48513		2001701900000000000000000000000000000000				
eg. Ent. Reference No.	RN100216035	5					
Media	Industrial and	Hazardous Waste	1			Percent Interest	Years of
Violation No.	7						Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs					Edward Market		
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	17-May-2012	26-Oct-2012	0.44	\$2	n/a	\$2
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)							
	Estimated	acet to include o	e everyties als	0.00	\$0	n/a Data Bas	\$0
Notes for DELAYED costs Avoided Costs Disposal		invest	igation date. Fi	an as panal Date	art of the continge te is the date of co ng item (except \$0	ency plan. Date Requestion plance. for one-time avoid	uired is the
Notes for DELAYED costs Avoided Costs Disposal Personnel		invest	igation date. Fi	enterin	art of the continge te is the date of co ng item (except \$0 \$0	ency plan. Date Requestion plance. for one-time avoid \$0 \$0	uired is the
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling		invest	igation date. Fi	enterir 0.00 0.00	art of the continge te is the date of co ng item (except \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0	uired is the
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment		invest	igation date. Fi	enterii 0.00 0.00 0.00 0.00	art of the continge te is the date of co ng item (except \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0	s0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]		invest	igation date. Fi	enterir 0.00 0.00 0.00 0.00	art of the continge te is the date of co ng item (except \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		invest	igation date. Fi	enterii 0.00 0.00 0.00 0.00 0.00	art of the continge te is the date of co ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0
Notes for DELAYED costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]		invest	igation date. Fi	enterir 0.00 0.00 0.00 0.00	art of the continge te is the date of co ng item (except \$0 \$0 \$0 \$0 \$0 \$0	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		invest	igation date. Fi	enterii 0.00 0.00 0.00 0.00 0.00	art of the continge te is the date of co ng item (except \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$	for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	s0 \$0 \$0 \$0 \$0 \$0 \$0

September 2011, on August 3, 2011			Screening Date 18-Oct-2012	
on August 3, 2011	Policy Revision 3	nt de Nemours and Company	Respondent E. I. du Pont de	
	PCW Revision	005	Case ID No. 48513	
			Ent. Reference No. RN100216035	
		and nazardous waste	Media [Statute] Industrial and Ha Enf. Coordinator Keith Frank	Fnf (
			Violation Number 8	
	-d 225 112(-)(2), 40 CED 55 265 21	design Code SS 225 2(b) 225 42(c) -	D 1 011 1 1	
		dmin. Code §§ 335.2(b), 335.43(a), a and 270.1(c), and Tex. Wat	30 Tex. Admin.	
	("IHW") by failing to maintain and simize the possibility of an unplanned ardous waste or hazardous waste fically, a spill from the purge column 2011, releasing approximately 800.4 tection Agency ("EPA") Waste Code CRN/ANIL combined ditch. The spill	suffered, allowed, or permitted the un- ISW") and industrial hazardous waste e Facility in a manner designed to min release or non-sudden release of haz its to air, soil, or surface water. Spec- relief valve occurred on November 3, f hazardous waste (Environmental Pro obenzene) and Class 1 waste to the A ed in an unauthorized discharge from	waste ("ISW") operate the Faci sudden relea constituents to pressure relief pounds of haza D036-nitrobenz	Violatio
\$25,000	Base Penalty			10-10-24-15- 4
		uman Health Matrix	ironmental, Property and Huma	>> Environme
		Moderate Minor	Release Major	
		×	Actual	OR
	Percent 30.0%		Potential	
			grammatic Matrix	>>Programma
		Moderate Minor	Falsification Major	912
	Percent 0.0%			
	그래 눈이 집에 어려면 어려면 어떻게 하는 것이 되고 취하고 하다 하고 하고 있다면 그 가장이 되었다고 하는데 그래요?	ronment has been exposed to signific	Marrix	Materia
	mental receptors as a result of the	violation.	Notes exceed levels that are protect	
	Adjustment \$17,500		II exceed levels that are protect	
\$7,500			II exceed levels that are protect	
\$7,500			Notes exceed levels that are protect	Notes
\$7,500	Adjustment \$17,500	violation.	Notes exceed levels that are protection.	Notes
\$7,500	Adjustment \$17,500	violation.	Notes exceed levels that are protected by the protection of Violation Events	Notes
\$7,500	Adjustment \$17,500	violation.	Notes exceed levels that are protected protected by the second levels that are protected protected by the second levels that are protected by the second levels that a	Notes
\$7,500	Adjustment \$17,500	violation.	Notes exceed levels that are protected and protected all protected and protected all protected and protected all protected and protected all protected all protected and protected and protected all protected and protected all protected and protected all protected and protected and protected all protected and protected all protected and protected all protected and protected all protected and protected and protected all protected all protected and protected all p	Notes
\$7,500 \$7,500	Adjustment \$17,500	violation.	Notes exceed levels that are protected protected by the second levels that are protected protected by the second levels that are protected by the second levels that a	Notes
	Adjustment \$17,500 Number of violation days	violation.	Notes exceed levels that are protected by the protected b	Notes
	Adjustment \$17,500 Number of violation days	violation.	Notes exceed levels that are protected by the protected b	Notes
	Adjustment \$17,500 Number of violation days	violation.	Notes exceed levels that are protected by the protected b	
	Adjustment \$17,500 Number of violation days Violation Base Penalty	violation. ents 1 35 y y ual ent x	Notes exceed levels that are protected by the protected b	Notes
	Adjustment \$17,500 Number of violation days Violation Base Penalty	violation.	Notes exceed levels that are protected by the protected b	Notes
\$7,500	Adjustment \$17,500 Number of violation days Violation Base Penalty ded.	violation. ents 1 35 y y	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event	Notes
	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction	violation. ents 1 35 y y 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply	Notes
\$7,500	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction	violation. ents 1 35 // Y Jual	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply	Notes
\$7,500	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction	violation. ents 1 35 // y ual	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply Extraordinary	Notes
\$7,500	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction	violation. ents 1 35 y y y ual ent x One single event is recommen 0.0% Before NOE/NOV NOE/NOV to EDPRP/Sonary nary	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply Extraordinary Ordinary	Notes
\$7,500	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction	violation. ents 1 35 y y ual	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply Extraordinary Ordinary N/A	Notes
\$7,500	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction the good faith criteria for	one single event is recommen One single event is recommen O.0% Before NOE/NOV NOE/NOV to EDPRP/Sonary NAX The Respondent does not meet	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply Extraordinary Ordinary N/A	Notes
\$7,500	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction the good faith criteria for	violation. ents 1 35 y y y ual cent x One single event is recomment 0.0% Before NOE/NOV NOE/NOV to EDPRP/Senary nary N/A x The Respondent does not meet	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply Extraordinary Ordinary N/A	Notes
\$7,500 \$0	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction the good faith criteria for on.	violation. ents 1 35 y y y ual	Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply Extraordinary Ordinary N/A	Violation Even
\$7,500 \$0	Adjustment \$17,500 Number of violation days Violation Base Penalty ded. Reduction the good faith criteria for on. Violation Subtotal	one single event is recomment Notes Number of Violation Events daily weekly monthly quarterly semiannual annual single event aith Efforts to Comply Extraordinary Ordinary N/A Notes	Violation Even	

du Pont de Nemo	dous Waste	0.00 0.00 0.00	\$0	5.0	Years of Depreciation 15 EB Amount
00216035 istrial and Hazard		0.00	\$0 \$0	5.0 Onetime Costs	Depreciation 15 EB Amount \$0
strial and Hazard		0.00	\$0 \$0	5.0 Onetime Costs	Depreciation 15 EB Amount \$0
		0.00	\$0 \$0	5.0 Onetime Costs	Depreciation 15 EB Amount \$0
em Cost Date	Required Fir	0.00	\$0 \$0	5.0 Onetime Costs	EB Amount
em Cost Date	Required Fir	0.00	\$0 \$0	5.0 Onetime Costs	EB Amount
em Cost Date	Required Fir	0.00	\$0 \$0	\$0	\$0
		0.00	\$0		
		0.00	\$0		
		0.00	\$0		
		0.00			
					\$0
			\$0	\$0	\$0
		0.00	\$0	\$0	\$0
		0.00		n/a	\$0
		0.00		n/a	\$0
		0.00		n/a	\$0
				n/a	\$0
					\$0
		0.00	\$0	n/a	\$0
ANNUALIZE [1]	avoided cost				ed costs)
		0.00		\$0	\$0
		0.00	\$0 \$0	\$0 \$0	\$0 \$0
		0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
		0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
\$349 3-No	ov-2011 1-J	0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
	ANNUALIZE [1]	ANNUALIZE [1] avoided cost	0.00 0.00 0.00 0.00		0.00 \$0 n/a 0.00 \$0 n/a

	I. du Pont de Nemours and Compan	Docket No. 2014-0506-MLM-E	PCW vision 3 (September 2011)
	1100216035 dustrial and Hazardous Waste	PCI	N Revision August 3, 2011
Enf. Coordinator Ke Violation Number	ith Frank 9		=
Rule Cite(s)) and 335.112(a)(2), 40 CFR §§ 265.31 and ex. Water Code § 26.121	
Violation Description oc	maintain and operate the Facility in of an unplanned sudden release or hazardous waste constituents to al curred on April 10, 2012, releasing	ed the unauthorized disposal of IHW by failing a manner designed to minimize the possibility non-sudden release of hazardous waste or ir, soil, or surface water. Specifically, a spill approximately 648 pounds of hazardous waste ste and D036-nitrobenzene) to the North ditch	2
		Base Penalt	\$25,000
>> Environmental, Property Release	and Human Health Matrix Harm Major Moderate Minor		
OR Actual Potential	X	Percent 30.0%	
>>Programmatic Matrix Falsification	Major Moderate Minor		
		Percent 0.0%	
Marrix	. [1] [1] [1] [1] [1] [1] [1] [1] [1] [1]	to significant amounts of pollutants that do no or environmental receptors as a result of the n.	t
		Adjustment \$17,50	0
			\$7,50
iolation Events	COLVERN PARTY EN A	verseengere han bevar versee	
Number of Viola	199172	191 Number of violation days	
	daily weekly		
	monthly quarterly emiannual annual	Violation Base Penalty	\$7,50
si	ngle event x		
,	One single event is re	ecommended.	
Good Faith Efforts to Comply		Reduction	\$(
Ex	Ordinary Ordinary	to EDPRP/Settlement Offer	
		not meet the good faith criteria for this violation.	
		Violation Subtota	\$7,500
conomic Benefit (EB) for thi	s violation	Statutory Limit Test	
Estimated I	Settle: 1983 1 0 100 4 70 6 5 8 7	CONTRACTOR OF THE PROPERTY OF	
Estimated i	EB Amount \$3	63 Violation Final Penalty Tota	\$12,348

	E	conomic	Benefit	Wo	rksheet		
Respondent	E. I. du Pont	de Nemours and C	ompany				
Case ID No.	48513		25.55.07.05.00.00				
Reg. Ent. Reference No.		5					
		Hazardous Waste					Years of
Violation No.		Trocardous Truste				Percent Interest	Depreciation
11010110111110						1	material programme and the programme
						5.0	15
Figure of the contraction of		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1							
Delayed Costs		V 1		7			
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System Training/Sampling	-			0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0 \$0	n/a	\$0
Permit Costs				0.00	\$0	n/a n/a	\$0 \$0
Other (as needed)				0.00	\$0	n/a	\$0
		***************************************			1000		
Notes for DELAYED costs							
		XXXII					
Avoided Costs	ANNUAL	IZE [1] avoided	costs before		- William - Control - Cont	for one-time avoid	
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
nspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$301	10-Apr-2012	1-Jul-2015	4.14	\$62	\$301	\$363
Other (as needed)				0.00	\$0	\$0	\$0
						2 201 2	\$ X
	Ectimated	avoided cost to p	roporty diapose	of ann	ravimataly £40 as		
Notes for AVOIDED costs		avoided cost to pe ed facility. Date R				unds of hazardous w ne date of ownership	
Notes for AVOIDED costs							
Notes for AVOIDED costs Approx. Cost of Compliance							

	Screening Date		200		et No. 2014-0506-MLM-E		PCW
		E. I. du Pont de	Nemours and	d Company		Policy Revision	3 (September 2011
Doc F	Case ID No.					PCW Rev	ision August 3, 201.
Reg. En	t. Reference No. Media [Statute]						
	Enf. Coordinator	' Keith Frank	iazardous wa	ste			
	Violation Number		ii.				
	The second secon		Code 88 335	2(b) 335 43(a)	, and 335.112(a)(2), 40 CFR	56 265 31	
					ater Code § 26.121	33 200.01	
v	iolation Description	by failing to ma possibility of an or hazardous occurred approximately	aintain and op unplanned su waste constit from off-loadi 5,970 pound:	erate the Facility idden release or uents to air, soil, ing of a vacuum s of hazardous w	unauthorized disposal of ISW in a manner designed to mi non-sudden release of hazar or surface water. Specifical truck on April 15, 2012, relea aste (EPA Waste Codes D018 e to the ACRN/ANIL combine	nimize the dous waste ly, a spill asing behenzene	
					Bas	e Penalty	\$25,00
> Enviro	onmental, Prope	rty and Huma	an Health	Matrix			
	Release	Major	Harm Moderate	Minor			
OR	Actual		x	MINO			
	Potential				Percent 30.0%		
>Progra	mmatic Matrix				MAD SIE		
> r rogra	Falsification	Major	Moderate	Minor			
					Percent 0.0%		
					ficant amounts of pollutants		
	haiwes great a	domanti v.Sr.	teles mil	Zugarto Stód	Adjustment	\$17,500	\$7,50
iolation	Events					(UE)FIEIBIDI	\$7,50
iolation i					105 N		
	Number of	Violation Events	1	L	186 Number of violation	days	
		daily					
		weekly monthly					
		quarterly			Violation Bas	e Penalty	\$7,50
		semiannual					
		annual					
		single event	X				
			One single	event is recomm	ended.		
ood Eaith	h Efforts to Com	nlv [0.0%			Reduction	\$
oou raici	i Litores to com			NOE/NOV to EDPRP,	Settlement Offer	Keduction [4
		Extraordinary					
		Ordinary					
		N/A	×				
		Notes	The Respond	ent does not med this viol	et the good faith criteria for ation.		
		Notes	The Respond		ation.	Subtotal	\$7,500
onomic	Benefit (EB) for	Notes			violation	CACHOLOGICA CACAGO ANTA CACAGO	\$7,500
onomic	Benefit (EB) for	this violation		this viol	Violation Statutory Limit	Test	
conomic		Notes	n	this viol \$2,360	violation	Test	\$7,500 \$12,348 \$12,348

8513 RN100216035	Hazardous Waste				Percent Interest	Years of
RN100216035 ndustrial and .0	Hazardous Waste				Percent Interest	Years of
ndustrial and .0	Hazardous Waste				Percent Interest	Years of
ndustrial and .0	Hazardous Waste				Percent Interest	Years of
.0					Percent Interest	
	Date Required				The state of the s	Depreciation
Item Cost	Date Required				r ol	The second of th
Item Cost	Date Required				5.0	15
		Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
			0.00	\$0	\$0	\$0
	1					\$0
						\$0
						\$0
						\$0
						\$0
			0.00	\$0	n/a	\$0
ANNUAL	IZE [1] avoided	costs before	0.00	\$0	for one-time avoid	\$0
ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0	\$0 \$0	\$0 \$0
ANNUAL	IZE [1] avoided	costs before	0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
ANNUAL	IZE [1] avoided	costs before	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
\$1,956	IZE [1] avoided	costs before	0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
				0.00	0.00	0.00 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0

,

Penalty Calculation Worksheet (PCW) Policy Revision 3 (September 2011) PCW Revision August 3, 2011 DATES Assigned 4-Mar-2014 PCW Screening 14-Mar-2014 12-Oct-2017 **EPA Due** RESPONDENT/FACILITY INFORMATION Respondent E. I. du Pont de Nemours and Company Reg. Ent. Ref. No. RN100216035 Facility/Site Region 10-Beaumont Major/Minor Source Major CASE INFORMATION Enf./Case ID No. 48513 No. of Violations 3 Docket No. 2014-0506-MLM-E Media Program(s) Industrial and Hazardous Waste Order Type 1660 Government/Non-Profit No Multi-Media Underground Injection Control Enf. Coordinator Keith Frank EC's Team Enforcement Team 6 Admin. Penalty \$ Limit Minimum \$0 Maximum \$25,000 Penalty Calculation Section TOTAL BASE PENALTY (Sum of violation base penalties) \$22,750 Subtotal 1 ADJUSTMENTS (+/-) TO SUBTOTAL 1 Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage. **Compliance History** 60.0% Subtotals 2, 3, & 7 \$13,650 Notes Enhancement for three orders containing a denial of liability. Culpability No Subtotal 4 \$0 0.0% Enhancement The Respondent does not meet the culpability criteria. Notes Good Faith Effort to Comply Total Adjustments Subtotal 5 -\$25 Subtotal 6 \$0 **Economic Benefit** 0.0% Enhancement* Total EB Amounts \$3,749 *Capped at the Total EB \$ Amount Estimated Cost of Compliance \$47,600 SUM OF SUBTOTALS 1-7 \$36,375 Final Subtotal OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% \$0 Adjustment Reduces or enhances the Final Subtotal by the indicated percentage. Notes Final Penalty Amount \$36,375

Final Assessed Penalty

Adjustment

Reduction

20.0%

Deferral offered for expedited settlement.

\$36,375

-\$7,275

\$29,100

STATUTORY LIMIT ADJUSTMENT

Notes

PAYABLE PENALTY

Reduces the Final Assessed Penalty by the indicated percentage.

DEFERRAL

PCW

Policy Revision 3 (September 2011) PCW Revision August 3, 2011

Respondent E. I. du Pont de Nemours and Company

Case ID No. 48513

Reg. Ent. Reference No. RN100216035

Media [Statute] Industrial and Hazardous Waste

Enf. Coordinator Keith Frank

Compliance History Worksheet

Component	Number of	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	3	60%
Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	o	0%
Judgments and Consent	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	o	0%
Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
Addits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Perc	entage (Su	btotal 2)
peat Violator No		entage (Su	htotal 3)
2000	The state of the s	cirtage (oa	brota, c,
mpliance Hist	ory Person Classification (Subtotal 7)		
Satisfactory	Performer Adjustment Perc	entage (Su	btotal 7)
mpliance Hist	cory Summary		
Compliance History Notes	Enhancement for three orders containing a denial of liability.		
	Total Compliance History Adjustment Percentage (S	ubtotals 2	3, & 7)

S	creening Date				et No. 2014-0506-MLM-E	W	PCW
	Respondent		e Nemours and	Company		Policy Revision 3	(September 2011)
Dog Fut	Case ID No.					PCW Revis	ion August 3, 2011
27.00	Reference No.			W.			
	edia [Statute] f. Coordinator		Hazardous Wa	ste			
	iolation Number		٦				
		Turnibnes en on	desir Codo SE	22F 42(=) ==d	225 112(a)(2) 40 Cada af 5	adaun!	
	Rule Cite(s)				335.112(a)(2), 40 Code of Fe L(c), and Tex. Water Code §		
Viola	ation Description	hazardous was designed to m release of haz water. Spe 275,000 gallo hazardous v aniline). T	ste ("IHW") by inimize the post ardous waste cifically, a spill ons of treated waste (Environities spill caused	failing to mainta ssibility of an un or hazardous wa occurred on Ma wastewater mixe mental Protectio d unauthorized of	te unauthorized disposal of in sin and operate the Facility in planned sudden release or no sete constituents to air, soil, y 18, 2013, releasing approx d with approximately 8.495 in Agency ("EPA") Waste Cod discharges to soil in unlined e te Beaumont Site's B Diversi	a manner on-sudden or surface dimately pounds of e U012- arthen	•
					Bas	e Penalty	\$25,000
>> Environn	nental, Proper	ty and Hum	nan Health Harm	Matrix	TWV BENDENGTON BENDE		
	Release	Major	Moderate	Minor			
OR	Actual			×	<u></u>		
	Potential				Percent 15.0%		
>>Programm							
	Falsification	Major	Moderate	Minor	D		
			JL		Percent 0.0%		
Note				violation.	Adjustment	\$21,250	
							\$3,750
Violation Eve	ents		Manage Charles	III/IIIIAREHS/IO			
	Number of \	Violation Events	4		300 Number of violation	days	
		daily					
		weekly					
		monthly			VI-1-V B	- Desetted	#1E 000
	<	quarterly semiannual	×		Violation Bas	e Penalty	\$15,000
		annual					
		single event					
	Four quarterly				tation of the violation from the screening date.	ne May 18,	
Good Faith E							
	fforts to Com		0.0%			Reduction	\$0
	fforts to Com			NOE/NOV to EDPR		Reduction	\$0
	fforts to Com	Extraordinary		NOE/NOV to EDPR		Reduction	\$0
	fforts to Com	Extraordinary Ordinary	Before NOE/NOV	NOE/NOV to EDPR		Reduction	\$0
	fforts to Com	Extraordinary	Before NOE/NOV		et the good faith criteria for	Reduction	\$0
	fforts to Com	Extraordinary Ordinary N/A	Before NOE/NOV	ent does not me	et the good faith criteria for ation.	Reduction	\$0 \$15,000
Economic Be	efforts to Com	Extraordinary Ordinary N/A Notes	X The Responde	ent does not me	et the good faith criteria for ation.	ı Subtotal	¥
Economic Be	nefit (EB) for	Extraordinary Ordinary N/A Notes	The Responde	ent does not me	et the good faith criteria for ation.	Subtotal	¥

		conomic	Benefit	Wο	rksheet		
Respondent	E. I. du Pont d	de Nemours and C	Company	AUATSTS			
Case ID No.	48513						
eg. Ent. Reference No.	RN100216035						
		Hazardous Waste	9				Years of
Violation No.	. 1		A.			1	Depreciation
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	+22 500	10.11 20.12	10 5 1 2015	0.00	\$0	n/a	\$0
Remediation/Disposal	\$27,500	18-May-2013	18-Feb-2015	1.76	\$2,415	n/a	\$2,415
Permit Costs				0.00	\$0 \$0	n/a n/a	\$0
Other (as needed)							
	Estimated cos	t to properly disp	ose of approvin		Suppression of the same of		\$0
Notes for DELAYED costs	waste at a	authorized facili	ty. Date Requir	ately 2 ed is the erly di	275,000 gallons of ne spill date. Fina sposed of.	wastewater mixed w Date is the date the	vith hazardous e waste was
Avoided Costs	waste at a	authorized facili	ty. Date Requir	ed is the erly dis	275,000 gallons of ne spill date. Final sposed of. ng item (except	wastewater mixed w I Date is the date the for one-time avoid	vith hazardous e waste was ed costs)
Avoided Costs	waste at a	authorized facili	ty. Date Requir	ed is the erly dis	275,000 gallons of ne spill date. Final sposed of. ng item (except	wastewater mixed w Date is the date the for one-time avoid \$0	vith hazardous e waste was ed costs) \$0
Avoided Costs Disposal Personnel	waste at a	authorized facili	ty. Date Requir	ed is the erly discrete of the	275,000 gallons of ne spill date. Final sposed of. ng item (except \$0 \$0	wastewater mixed w I Date is the date the for one-time avoid \$0 \$0	with hazardous waste was ed costs) \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling	waste at a	authorized facili	ty. Date Requir	ed is the erly disconnection of the content of the	275,000 gallons of the spill date. Final sposed of. ng item (except \$0 \$0 \$0	wastewater mixed w I Date is the date the for one-time avoid \$0 \$0 \$0 \$0	vith hazardous e waste was ed costs) \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	waste at a	authorized facili	ty. Date Requir	nately 2 ed is the perly dis enterir 0.00 0.00 0.00	275,000 gallons of the spill date. Final sposed of. ng item (except \$0 \$0 \$0	wastewater mixed w I Date is the date the for one-time avoid \$0 \$0 \$0 \$0 \$0	vith hazardous e waste was ed costs) \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]	waste at a	authorized facili	ty. Date Requir	nately 2 ed is the perly dis enterir 0.00 0.00 0.00 0.00	275,000 gallons of ne spill date. Final sposed of. ng item (except \$0 \$0 \$0 \$0 \$0	wastewater mixed w I Date is the date the for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	vith hazardous e waste was ed costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	waste at a	authorized facili	ty. Date Requir	eately 2 ed is the perly disconnection 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	275,000 gallons of ne spill date. Final sposed of. ng item (except \$0 \$0 \$0 \$0 \$0	wastewater mixed w I Date is the date the for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vith hazardous e waste was ed costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment	waste at a	authorized facili	ty. Date Requir	nately 2 ed is the perly dis enterir 0.00 0.00 0.00 0.00	275,000 gallons of ne spill date. Final sposed of. ng item (except \$0 \$0 \$0 \$0 \$0	wastewater mixed w I Date is the date the for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0	vith hazardous e waste was ed costs) \$0 \$0 \$0 \$0 \$0
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]	waste at a	authorized facili	ty. Date Requir	eately 2 ed is the perly dispersion of the perly dispe	275,000 gallons of ne spill date. Final sposed of. ng item (except \$0 \$0 \$0 \$0 \$0	wastewater mixed w I Date is the date the for one-time avoid \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	vith hazardous e waste was ed costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$

		ening Date					2014-0506-MLM-E		PCW
		lespondent lase ID No.		de Nemours	and Company	У			(September 2011)
Peg		erence No.		-				PCW Revis	sion August 3, 2011
Reg.		a [Statute]			Naste				
		oordinator		, mozar dodo .	rabta				
		tion Number	PRODUCTION OF THE PARTY OF THE						
		Rule Cite(s)	30 Tex. A			and 335.112(a)(ex. Water Code §	(2), 40 CFR §§ 26 26.121	5.31 and	
	Violatio	n Description	to maintain a of an unp hazardous occurred wastewater Code D03	and operate the lanned sudder some sudder some sudder to the land and	ne Facility in n release or ituents to air 19, 2013, re pproximately ne). The spil ater conveya	a manner desigr non-sudden rele , soll, or surface leasing approxim , 7.0 pounds of h ll caused unauth	zed disposal of IH ned to minimize th ase of hazardous water. Specifica nately 200,000 ga nazardous waste (orized discharges to Lucite Beaumo	ne possibility waste or lly, a spill illons of EPA Waste to soil in	
							В	ase Penalty	\$25,000
>> Env	rironmer	ntal, Proper	ty and Hur		h Matrix				
		Release	Major	Harm Moderate	Minor				
OR		Actual	The state of the s	Trioderace	×	1			
		Potential				F	Percent 15.09	/ 6	
>>Proc	ramma	tic Matrix	NAME OF STREET						
		Falsification	Major	Moderate	Minor		100 AP C - 2 II 3 I 1 2 I 1 2 I 2		
			7,37			F	Percent 0.09	/6	
		Human health	n or the enviro	nment has b	een exposed	to insignificant a	mounts of polluta	ants that do	
	Matrix Notes						al receptors as a		
	Notes	1.0012.2-2021	PORTON ON SHAP	275041214	violation.		*		
	THE RESERVE	THE RESERVE TO SERVE		ADDALL AVID	I KOO DI DEED	Adiu	stment	\$21,250	
		1				Alego	.Jeille L	422,230	\$3,750
									\$3,750
Violatio	n Event	S			HELYEN SE				
		Number of \	/iolation Event	s 2		146 N	lumber of violatio	n days	
			daily		_				
			weekly						
			monthly					660 88 1	
			quarterly	X			Violation Ba	ase Penalty	\$7,500
			semiannual annual		4				
			single event		=				
	lī.	-	omigic or one					1	
		Two quarterly					ne violation from	the October	
			19, 201	.3 spill date to	the March	14, 2014 screeni	ng date.		
Cood E	oith Effo	rts to Com		0.09	_	Station and also	COLUMN TO SERVICE	Dodustion .	\$0
GOOG F	aith Ello	rts to Com	DIY	Before NOE/NO		EDPRP/Settlement	Offer	Reduction	\$0
			Extraordinar		1				
			Ordinar	у					
			N/A	AX					
				The Respo	ndent does n	ot meet the goo	d faith criteria for	.]	
			Note	s		nis violation.			
							المالدين والمورود	<u> </u>	#7 F00
							Violatio	on Subtotal	\$7,500
Econom	ic Benef								
		fit (EB) for	this violati	ion		S	Statutory Lim	it Test	Chicago Park
			this violati ed EB Amoun	20 TV (200)	\$1,33	(A)	Statutory Lim		\$12,000

	E	conomic	Benefit	Wo	rksheet		
Respondent	E. I. du Pont	de Nemours and C	Company				
Case ID No.	48513						
eg. Ent. Reference No.	RN100216035	i					
		Hazardous Waste				The second secon	Years of
Violation No.		TIOZGI GOGS TTOSEC	51			Percent Interest	Depreciation
Violation ivo.	2					1	
						5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	(
Delayed Costs	<u> </u>						
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal	\$20,000	19-Oct-2013	18-Feb-2015	1.33	\$1,334	n/a	\$1,334
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0
Notes for DELAYED costs Avoided Costs	waste at a	n authorized facili	ty. Date Requir	ed is th		wastewater mixed v Date is the date the	
		IZE [1] avoided	costs before	nterir	na item (except	for one-time avoid	ed costs)
Disposal	7,11110712	IZE [1] avoided	costs before	1		for one-time avoid	
Disposal Personnel		IZE [1] avoided	costs before	0.00	\$0	\$0	\$0
Personnel		IZE [1] avoided	costs before	0.00	\$0 \$0	\$0 \$0	\$0 \$0
Personnel		IZE [1] avoided	costs before	0.00	\$0	\$0	\$0
Personnel spection/Reporting/Sampling		IZE [1] avoided	costs before	0.00 0.00 0.00	\$0 \$0 \$0	\$0 \$0 \$0	\$0 \$0 \$0
Personnel aspection/Reporting/Sampling Supplies/Equipment		IZE [1] avoided	costs before	0.00 0.00 0.00	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0
Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2]		IZE [1] avoided	costs before	0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0
Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		IZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0
Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3]		IZE [1] avoided	costs before	0.00 0.00 0.00 0.00 0.00	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 \$0 \$0 \$0 \$0 \$0 \$0

	ening Date 14-Mar-2014	A STATE OF THE PARTY OF THE PAR	No. 2014-0506-MLM-E	PCW
	Respondent E. I. du Pont de Nemours	s and Company		Policy Revision 3 (September 2011)
	Case ID No. 48513 Ference No. RN100216035			PCW Revision August 3, 2011
	a [Statute] Industrial and Hazardous	Waste		
Enf. C	Coordinator Keith Frank	waste		
	ation Number 3			
	Rule Cite(s)	30 Tex. Admin. Code §	335.9(a)(1)	
		3		
Violatio	n Description Specifically, closure re	rds of all hazardous and cords were not provided ste Management Unit ("	d industrial solid waste activ d for Notice of Registration 'WMU") No. 090.	ities. ("NOR")
			Bas	e Penalty \$25,000
>> Environmer	ntal, Property and Human Hea Harm			
	Release Major Modera			
OR	Actual		97.5 ×97.0	
	Potential		Percent 0.0%	
>>Programma	tic Matrix			
	Falsification Major Modera	te Minor		
		×	Percent 1.0%	
Matrix	Less than 30% of	of the rule requirement	was not met	
Notes	2000 01011 00 70	or and rate requirement	was not met.	
			Adjustment	\$24,750
				\$250
				7.55
Violation Event	SACRETA			MIN SON
	Number of Violation Events 1	3:	7 Number of violation of	days
	1		Z Individual of Francisco	-3/5
	daily			
	weekly			
	monthly		Violation Base	e Penalty \$250
	quarterly semiannual	=	violation base	e Penalty \$250
	annual	=		
	single event x			
Tr.	254 10 4 500 ED CL 24 CON 10 4			
	One sin	ngle event is recommen	ded.	
		gio overiti io recommen		
	10074-11/101-11/2020-2017/11/4/06			
Good Faith Effo				Reduction \$25
	Before NOE/N	NOE/NOV to EDPRP/Se	ettlement Offer	
	Ordinary			
	N/A	×		
	The Re	er the Notice of Enforce	mpliance on March 27, ement dated February 28,	
		2014.		
TO DE SALES CONTRACTOR				
conomic Benef	fit (EB) for this violation		Statutory Limit	Test
	Estimated EB Amount	\$1	Violation Final Pena	ilty Total \$375
	The table	violation Final Acces	read Danathy (adducted for	or limits) \$375
iconomic Benef	The Re Notes 2014, aft Fit (EB) for this violation Estimated EB Amount	er the Notice of Enforce 2014.	violation Statutory Limit	Test

Media Violation No.	Percent Interest Years of Depreciation						
						5.0	15
Item Description		Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$100	18-Feb-2014	27-Mar-2014	0.10	\$1	n/a	\$1
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)							
Notes for DELAYED costs	Estimated cos	t to provide closu	re records for N	0.00 OR WM	\$0 1U No. 090. Date	n/a Required is the inve	\$0 stigation date.
Avoided Costs Disposal Personnel spection/Reporting/Sampling Supplies/Equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)			Final Date is	OR WM	IU No. 090. Date ate of compliance.	22 T 125 M 21 20 M	stigation date.



Compliance History Report

Compliance History Report for CN600128284, RN100216035, Rating Year 2017 which includes Compliance History (CH) components from September 1, 2012, through August 31, 2017.

Customer, Respondent, CN600128284, E. I. du Pont de Nemours Classification: SATISFACTORY

Rating: 5.73

or Owner/Operator: Regulated Entity:

and Company

Aniline Facility

RN100216035, Chemours Beaumont

Classification: SATISFACTORY

Rating: 3.89

Complexity Points:

22

Repeat Violator: NO

CH Group:

05 - Chemical Manufacturing

Location:

5470 N TWIN CITY HWY NEDERLAND, TX 77627-3168, JEFFERSON COUNTY

TCEQ Region:

REGION 10 - BEAUMONT

ID Number(s):

AIR OPERATING PERMITS ACCOUNT NUMBER JE0033C

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXD008081101

AIR NEW SOURCE PERMITS REGISTRATION 16323 AIR NEW SOURCE PERMITS REGISTRATION 24141

AIR NEW SOURCE PERMITS REGISTRATION 29192

AIR NEW SOURCE PERMITS REGISTRATION 31444

AIR NEW SOURCE PERMITS PERMIT 1743A

AIR NEW SOURCE PERMITS PERMIT 2324

AIR NEW SOURCE PERMITS PERMIT 2672

AIR NEW SOURCE PERMITS PERMIT 3879

AIR NEW SOURCE PERMITS PERMIT 4704 AIR NEW SOURCE PERMITS PERMIT 5310

AIR NEW SOURCE PERMITS PERMIT 6183

AIR NEW SOURCE PERMITS PERMIT 8106

AIR NEW SOURCE PERMITS REGISTRATION 10013

AIR NEW SOURCE PERMITS REGISTRATION 12208

AIR NEW SOURCE PERMITS REGISTRATION 12835 AIR NEW SOURCE PERMITS REGISTRATION 12894

AIR NEW SOURCE PERMITS REGISTRATION 12896

AIR NEW SOURCE PERMITS REGISTRATION 14020 AIR NEW SOURCE PERMITS REGISTRATION 14489

AIR NEW SOURCE PERMITS AFS NUM 4824500003

AIR NEW SOURCE PERMITS REGISTRATION 54296 AIR NEW SOURCE PERMITS REGISTRATION 71369

AIR NEW SOURCE PERMITS REGISTRATION 111977

TAX RELIEF ID NUMBER 17295

AIR EMISSIONS INVENTORY ACCOUNT NUMBER JE0033C

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50166

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 30010

AIR NEW SOURCE PERMITS REGISTRATION 18127

AIR NEW SOURCE PERMITS REGISTRATION 29106 AIR NEW SOURCE PERMITS REGISTRATION 31224

AIR NEW SOURCE PERMITS ACCOUNT NUMBER JE0033C

AIR NEW SOURCE PERMITS PERMIT 2053

AIR NEW SOURCE PERMITS PERMIT 2340

AIR NEW SOURCE PERMITS PERMIT 3310

AIR NEW SOURCE PERMITS PERMIT 4351A AIR NEW SOURCE PERMITS PERMIT 4752

AIR NEW SOURCE PERMITS PERMIT 5777

AIR NEW SOURCE PERMITS PERMIT 6301 AIR NEW SOURCE PERMITS PERMIT 8143

AIR NEW SOURCE PERMITS REGISTRATION 11844

AIR NEW SOURCE PERMITS REGISTRATION 12368

AIR NEW SOURCE PERMITS REGISTRATION 12888

AIR NEW SOURCE PERMITS REGISTRATION 12895

AIR NEW SOURCE PERMITS REGISTRATION 13542

AIR NEW SOURCE PERMITS REGISTRATION 14134

AIR NEW SOURCE PERMITS REGISTRATION 75778

AIR NEW SOURCE PERMITS REGISTRATION 71190

AIR NEW SOURCE PERMITS REGISTRATION 52358

AIR NEW SOURCE PERMITS REGISTRATION 54705

AIR NEW SOURCE PERMITS REGISTRATION 111976

IHW CORRECTIVE ACTION SOLID WASTE REGISTRATION

(SWR) 30010 POLLUTION PREVENTION PLANNING ID NUMBER

P00189

LEAKING PETROLEUM STORAGE TANKS REMEDIATION

ID NUMBER 92317

Compliance History Period: September 01, 2012 to August 31, 2017

Rating Year: 2017

Rating Date: 09/01/2017

Date Compliance History Report Prepared:

November 15, 2017

Agency Decision Requiring Compliance History:

Component Period Selected:

November 15, 2012 to November 15, 2017

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Keith Frank

Phone: (512) 239-1203

Site and Owner/Operator History:

1) Has the site been in existence and/or operation for the full five year compliance period?

YES

2) Has there been a (known) change in ownership/operator of the site during the compliance period?

YES

3) Who is the current owner/operator?

The Chemours Company FC, LLC OWNER OPERATOR since 11/20/2014

4) Who was/were the prior owner(s)/operator(s)?

E. I. du Pont de Nemours and Company

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

Effective Date: 01/12/2013

ADMINORDER 2012-0861-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(F)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: General Terms and Conditions OP

SC 1 PERMIT SC 13 OP

Description: Failure to maintain emission rates below the allowable emission limits. A8(c)(2)(A)(ii) MOD (2)(D)

2

Effective Date: 07/05/2014

ADMINORDER 2014-0041-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rqmt Prov: Special Conditions 1 PERMIT

Special Terms and Conditions 15 OP

Description: Failure to maintain emission rates below the authorized emission limits. Specifically, a leak on the South Reactor Standpipe in the Dehyration Nitration Process caused the unauthorized release of 202 lbs of benzene, 172 lbs of nitrobenzene emissions, and 149 lbs of sulfuric acid.

3 Effective Date: 02/04/2016

ADMINORDER 2015-0595-AIR-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

5C THSC Chapter 382 382.085(b)

Rgmt Prov: Special Condition 15 OP

Special Condition 17 PERMIT

Description: Failed to conduct monthly VOC monitoring in accordance with the requirements of the TCEQ Sampling Procedures Manual, Appendix P. Specifically, the Respondent failed to collect cooling tower water samples that were representative of all return waters from the Aniline Cooling Tower, EPNs ANI-CT208A, ANI-CT208B, and ANI-CT208C, from May 2010 through March 2015.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	January 31, 2013	(1054933)
Item 2	February 22, 2013	(1059559)
Item 3	July 03, 2013	(1100048)
Item 4	July 15, 2013	(1099761)
Item 5	December 16, 2013	(1124248)
Item 6	February 19, 2014	(1146078)

Item 7	April 06, 2014	(1156599)
Item 8	May 12, 2014	(1164854)
Item 9	June 02, 2014	(1171482)
Item 10	September 15, 2014	(1186435)
Item 11	February 06, 2015	(1222509)
Item 12	March 26, 2015	(1229716)
Item 13	June 02, 2015	(1253584)
Item 14	June 08, 2015	(1254571)
Item 15	February 24, 2016	(1313659)
Item 16	March 08, 2016	(1314559)
Item 17	March 09, 2016	(1311904)
Item 18	March 28, 2016	(1322111)
Item 19	April 15, 2016	(1312754)
Item 20	May 06, 2016	(1329498)
Item 21	April 05, 2017	(252758)
Item 22	April 19, 2017	(1403583)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs): $_{\mbox{\scriptsize N/A}}$

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program: N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN \$ BEFORE
ENFORCEMENT ACTION \$
CONCERNING \$ TEXA
E. I. DU PONT DE NEMOURS \$
AND COMPANY \$
RN100216035 \$ ENVI

BEFORE THE

TEXAS COMMISSION ON

ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2014-0506-MLM-E

I. JURISDICTION AND STIPULATIONS

On ________, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding E. I. du Pont de Nemours and Company (the "Respondent") under the authority of Tex. Health & Safety Code ch. 361 and Tex. Water Code chs. 7, 26, and 27. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent, represented by Mr. Rod Johnson of the law firm of Enoch Kever PLLC, together stipulate that:

- 1. The Respondent owned and operated a chemical manufacturing plant at 5470 North Twin City Highway in Nederland, Jefferson County, Texas (the "Facility"). The Respondent ceased ownership and operation of the Facility as of July 1, 2015. The Facility involves or involved the management of industrial hazardous waste ("IHW") as defined in Tex. Health & Safety Code ch. 361. The Respondent utilized, is utilizing, has begun drilling, or is converting injection wells as that term is defined in Tex. Water Code § 27.002(11).
- 2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to Tex. Water Code §§ 7.002, 7.051, and 7.073, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to Tex. Water Code §§ 5.013 and 27.011 because it alleges violations of Tex. Health & Safety Code ch. 361, Tex. Water Code chs. 26 and 27, and the rules of the TCEQ.
- 3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 4. An administrative penalty in the amount of \$214,852 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$171,882 of the penalty and \$42,970 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order. The deferred amount shall be waived only upon full compliance with all the terms and conditions contained in this Order. If the Respondent fails to timely and satisfactorily comply with any of the

- terms or requirements contained in this Order, the Executive Director may demand payment of all or part of the deferred penalty amount.
- 5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
- 7. This Order represents the complete and fully-integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
- 8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
- 9. The Executive Director recognizes that the Respondent implemented the following corrective measures at the Facility:
 - Submitted documentation demonstrating quarterly equipment calibrations of all Underground Injection Control ("UIC") equipment were being conducted on October 26, 2012;
 - b. Submitted documentation demonstrating the implementation of procedures and conducted employee training on procedures designed to ensure the specific gravity of injected waste is monitored every 24 hours on October 26, 2012;
 - Submitted documentation demonstrating training on maintaining complete and accurate UIC records was conducted for Facility employees on October 26, 2012;
 - d. Obtained sufficient financial assurance for Waste Disposal Well ("WDW") 188 on May 22, 2012;
 - e. Submitted documentation demonstrating all containers holding hazardous wastes are closed during storage on October 26, 2012;
 - f. Posted "No Smoking" signs at Container Storage Area ("CSA") Notice of Registration ("NOR") Nos. 72, 84, and 100 on October 18, 2012;
 - g. Submitted documentation demonstrating that the evacuation plan has been added to the contingency plan on October 26, 2012; and
 - h. Submitted closure records for NOR Waste Management Unit ("WMU") No. 090 on March 27, 2014.

II. ALLEGATIONS

- During an investigation conducted on May 17, 2012, an investigator documented that the Respondent:
 - a. Failed to conduct quarterly calibrations of UIC well monitoring equipment, in violation of 30 Tex. ADMIN. CODE § 331.63(g) and UIC Permit No. WDW188, Permit Provision ("P.P.") XI.E.2. Specifically, calibration of the monitoring equipment was not conducted for the first quarter of 2011.
 - b. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. ADMIN. Code §§ 335.43(a) and 335.112(a)(2), 40 Code of Federal Regulations ("CFR") §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill from the AWWT tank occurred on February 4, 2011, releasing approximately 18,570 pounds of hazardous waste (Environmental Protection Agency ("EPA") Waste Codes Do18-benzene and Do36-nitrobenzene) to the North/South run of "B" ditch.
 - c. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. ADMIN. Code §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill from the caustic storage tank (pipe) occurred on February 10, 2011, releasing approximately 20,500 pounds of hazardous waste (EPA Waste Code Doo2-corrosive waste) to the north ditch and the East/West run of "B" ditch.
 - d. Caused, suffered, allowed, or permitted the unauthorized disposal of industrial solid waste ("ISW"), in violation of 30 Tex. ADMIN. CODE § 335.2(b), 40 CFR § 270.1(c), and Tex. WATER CODE § 26.121. Specifically, a spill from the aniline safety tank occurred on March 2, 2011, releasing approximately 8,262 pounds of Class 1 waste to the ACRN/ANIL combined ditch.
 - e. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. ADMIN. Code §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill from the dilute HNO3 tank occurred on March 17, 2011, releasing approximately 563 pounds of hazardous waste (EPA Waste Code Doo2-corrosive waste) to the North/South run of "B" ditch.
 - f. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW and IHW by failing to maintain and operate the Facility in a manner designed to

minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. Admin. Code §§ 335.2(b), 335.43(a), and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill from the west wastewater tank occurred on March 19, 2011, releasing approximately 48.4 pounds of hazardous waste (EPA Waste Codes Do18-benzene and Do36-nitrobenzene) and Class 1 waste to the North/South run of "B" ditch. The spill resulted in an unauthorized discharge from outfall 001 to the Neches River.

- g. Failed to monitor the specific gravity of injected waste at least once every 24 hours, in violation of 30 Tex. Admin. Code § 331.64(b) and UIC Permit No. WDW188, P.P. VIII.G. Specifically, samples were not collected for the 24-hour time periods on October 21 and November 1, 2011.
- h. Failed to keep complete and accurate UIC records, in violation of 30 TEX. ADMIN. CODE § 331.67(a)(4) and UIC Permit No. WDW188, P.P.IX. Specifically, the Respondent's flow records were not accurate for November 12, 2011.
- i. Failed to maintain an annulus pressure of at least 100 pounds per square inch ("psi") greater than the injection tubing pressure to prevent leaks from the well into unauthorized zones and to detect well malfunctions, in violation of 30 Tex. ADMIN. CODE § 331.63(e) and UIC Permit No. WDW188, P.P.VII.F. Specifically, Quarterly Injection Reports showed the annulus pressure differential was less than 100 psi for a period of greater than 15 minutes on March 22 and 23, 2012.
- j. Failed to establish and maintain sufficient liability coverage for bodily injury and property damage to third parties caused by sudden or non-sudden accidental occurrences arising from operations of a hazardous waste Class 1 waste injection well, in violation of 30 Tex. Admin. Code § 331.142(b) and UIC Permit No. WDW188, P.P.X. Specifically, the Respondent failed to secure financial assurance from May 1 to May 22, 2012 and failed to make an inflation adjustment.
- k. Failed to keep containers holding hazardous waste closed during storage, except when it is necessary to add and/or remove waste, in violation of 30 Tex. ADMIN. CODE § 335.112(a)(8) and 40 CFR § 265.173(a). Specifically, three hazardous waste containers were open while storing hazardous waste.
- Failed to conspicuously post "No Smoking" signs wherever there is a hazard from ignitable or reactive waste, in violation of 30 Tex. ADMIN. CODE § 335.112(a)(1) and 40 CFR § 265.17(a). Specifically, CSA NOR Nos. 72, 84, and 100 did not have "No Smoking" signs posted.
- m. Failed to include an evacuation plan as part of the contingency plan, in violation of 30 Tex. ADMIN. CODE § 335.112(a)(3) and 40 CFR § 265.52(f).
- n. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW and IHW by failing to maintain and operate the Facility in a manner designed to

minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. Admin. Code §§ 335.2(b), 335.43(a), and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill from the purge column pressure relief valve occurred on November 3, 2011, releasing approximately 800.4 pounds of hazardous waste (EPA Waste Code Do36-nitrobenzene) and Class 1 waste to the ACRN/ANIL combined ditch. The spill resulted in an unauthorized discharge from outfall 002 to the Neches River.

- o. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. Admin. Code §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill occurred on April 10, 2012, releasing approximately 648 pounds of hazardous waste (EPA Waste Codes Doo2-corrosive waste and Do36-nitrobenzene) to the North ditch.
- p. Caused, suffered, allowed, or permitted the unauthorized disposal of ISW and IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. Admin. Code §§ 335.2(b), 335.43(a), and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill occurred from off-loading of a vacuum truck on April 15, 2012, releasing approximately 5,970 pounds of hazardous waste (EPA Waste Codes Do18-benzene and Do36-nitrobenzene) and Class 1 waste to the ACRN/ANIL combined ditch.
- During an investigation conducted on February 18, 2014, an investigator documented that the Respondent:
 - a. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. ADMIN. Code §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. Water Code § 26.121. Specifically, a spill occurred on May 18, 2013, releasing approximately 275,000 gallons of wastewater mixed with approximately 8.495 pounds of hazardous waste (EPA Waste Code Uo12-aniline). The spill caused unauthorized discharges to soil in unlined earthen wastewater conveyance ditches and to Lucite Beaumont Site's B Diversion Tank.
 - b. Caused, suffered, allowed, or permitted the unauthorized disposal of IHW by failing to maintain and operate the Facility in a manner designed to minimize the possibility of an unplanned sudden release or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water, in violation of 30 Tex. ADMIN. CODE §§ 335.43(a) and 335.112(a)(2), 40 CFR §§ 265.31 and 270.1(c), and Tex. WATER CODE § 26.121. Specifically, a spill occurred on

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October 19, 2013, releasing approximately 200,000 gallons of wastewater mixed with approximately 7.0 pounds of hazardous waste (EPA Waste Code Do36-nitrobenzene). The spill caused unauthorized discharges to soil in unlined earthen wastewater conveyance ditches and to Lucite Beaumont Site's B Diversion Tank.

c. Failed to keep records of all hazardous and ISW activities, in violation of 30 TEX. ADMIN. CODE § 335.9(a)(1). Specifically, closure records were not provided for NOR WMU No. 090.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: E. I. du Pont de Nemours and Company, Docket No. 2014-0506-MLM-E" to:

Financial Administration Division, Revenue Operations Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- All relief not expressly granted in this Order is denied.
- The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent.
- 4. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

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- 6. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
- 7. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	Date
For the Executive Director	7/30/18 Date
I, the undersigned, have read and understand the attached Order, and I do agree to the terms a acknowledge that the TCEQ, in accepting payme on such representation.	and conditions specified therein. I further
I also understand that failure to comply with the and/or failure to timely pay the penalty amount,	
 A negative impact on compliance history; Greater scrutiny of any permit applications Referral of this case to the Attorney General additional penalties, and/or attorney fees, Increased penalties in any future enforcem Automatic referral to the Attorney General TCEQ seeking other relief as authorized by 	nl's Office for contempt, injunctive relief, or to a collection agency; ent actions; 's Office of any future enforcement actions; and
In addition, any falsification of any compliance d	ocuments may result in criminal prosecution.
Mathow Rosing	March 20, 2018
Signature	Date
Matthew C. Koenings	Vice President - Corporate Operations
Name (Printed or typed) Authorized Representative of E. I. du Pont de Nemours and Company	Title
\square If mailing address has changed, please check	this box and provide the new address below: